

THE STRIKE FOR UNION



INDUSTRIAL WARFARE: SEVENTH MONTH

A corner of a typical camp of evicted miners—A shack, a tent in the back ground, defiance overhead—
Taken near the Acosta mines of Consolidation Coal Co., Somerset, Pa.

THE STRIKE FOR UNION

*A Study of the Non-union Question in Coal
and the Problems of a Democratic Movement*

Based on the Record of the Somerset Strike, 1922-23

BY
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Published for the Bureau of Industrial Research

NEW YORK
THE H. W. WILSON COMPANY
LONDON: GRAFTON & CO.
1924

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Industrial Research, New York

Printed in United States of America
Published February, 1924

To

JAMES HAPGOOD ARMSTRONG

The New Striker

Born September 29, 1922, in a hotel on Broadway, New York.

*Removed shortly to the family residence in a chicken coop in the strike
fields of Somerset County, Pennsylvania.*

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NOTE: The original manuscript of this study was submitted to the United States Coal Commission in August 1923, by the Bureau of Industrial Research, in response to the Commission's general request for records bearing on civil liberties in the coal fields.

FOREWORD

Two questions are raised (fortunately, they are not "settled") by this book. The first half suggests a problem important to the "general public" (whatever that may mean): namely, is it possible to legislate a "Missouri compromise" in the coal industry? Is the status quo, two-thirds union coal and one-third non-union, likely to last, with the law of the land pretty well solidified in support of the non-union third? Or are the forces which might disturb the compromise beyond the reach of law? Is a lot of our law due for a smash?

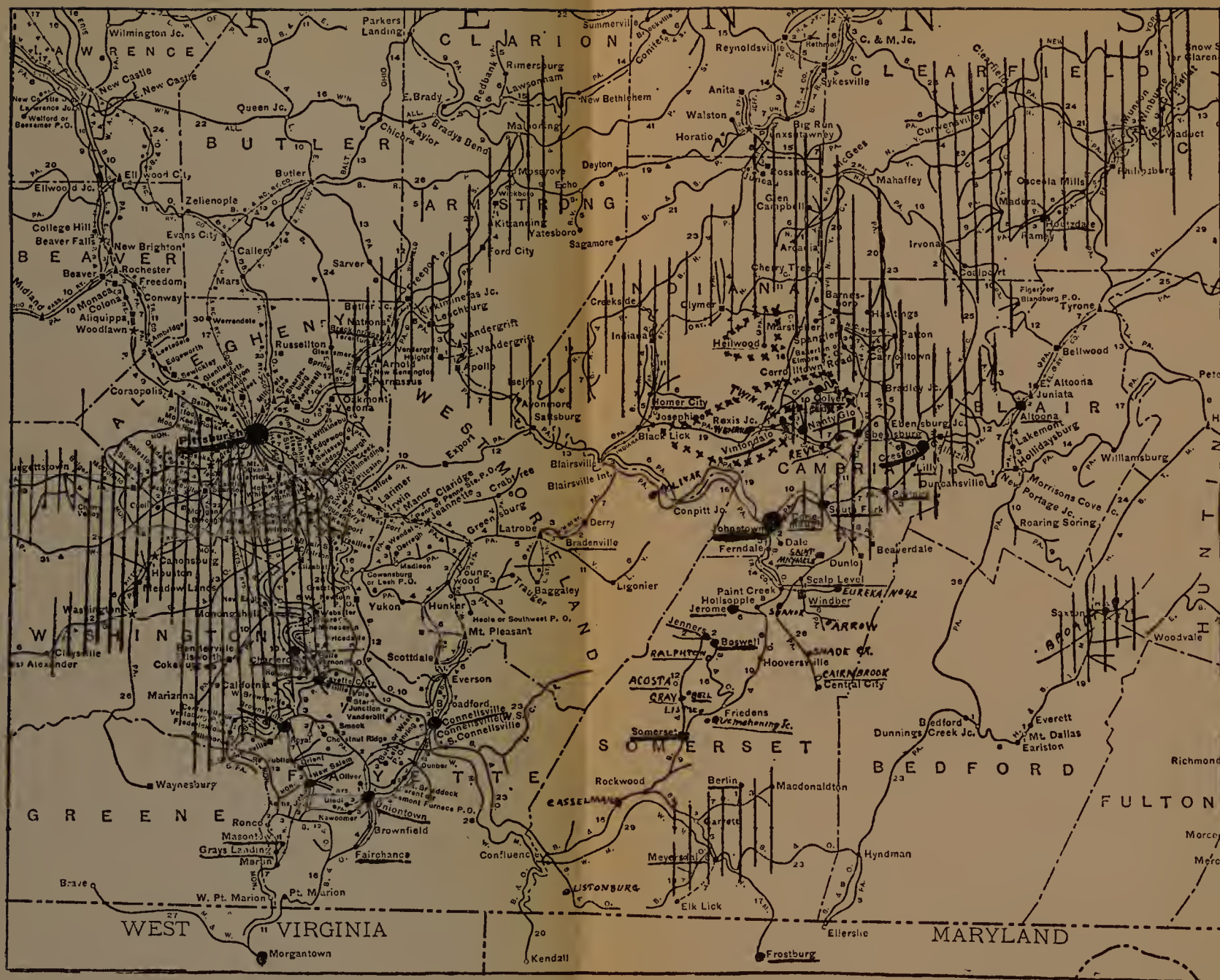
The problem in the second half seems to be one for union miners. We, the people, of the United States of America are at the mercy of the United Mine Workers of America; so runs the Declaration, scarcely of independence, voiced by a President of the United States. Have the non-union fields been "at the mercy?" If so, what ails the union? Is it possible that a union, when it approaches complete organization of a basic industry, is a different union from when it started? Maybe the miners' union has come of age; and is likely to find it out. Maybe the miners are ditching their present partners in the coal business, the owners; in seeking a new partner, is the union finding its non-union question tied in a hard knot with another of the questions it has raised—nationalization?

Readers will notice that you can't keep a book on coal from turning into a book on democracy. It is very disappointing.

New York City, January, 1924

THE STRIKE FOR UNION

PART I



FAYETTE COUNTY: WESTERN HALF OF THE FIELD
of the Strike for Union in Southwestern Pennsylvania.

SOMERSET COUNTY: EASTERN HALF OF THE FIELD
of the Strike for Union

Vertical lines indicate the bordering union field which is mainly District No. 5 of the U.M.W. with headquarters in Pittsburgh; off beyond to the northeast it runs into District No. 2. The non-union areas are the un-lined sections, principally the coke regions (or Connellsville region) of Fayette; and Westmoreland county.

Vertical lines indicate the union areas; the non-union bulk of Somerset is left unlined. The principal part of District No. 2 of the U.M.W. appears in the upper part; in the lower are small unionized areas, "submerged." Projecting into the unionized field above are two isolated non-union sections (the Black Lick and the Heilwood vicinity), indicated by border-lines of small crosses. North of this map District No. 2 extends almost to the New York State border.

CHAPTER I

INTRODUCTORY: 1922 AND AN OLD SITUATION

Just before the coal war of 1922 there was published in a research booklet¹ the map of one of the coal fields in non-union southwestern Pennsylvania, with an academic question for its caption; "Destined to be a battle-map?" The ink had hardly dried when in April, 1922, in this particular field in Somerset County, a battle began which lasted a year and a half.

Now,—as in any year for a decade past—a larger coal map might be outlined, with the same question-caption. A section of America, bounded roughly on the north by the Pennsylvania Railroad from Johnstown to Pittsburgh, on the south by the border counties of Virginia and Tennessee, so that eastern Kentucky and the southern counties of West Virginia bulk large in it, inhabited by nearly two hundred thousand non-union miners, has been, is now, and will be a region of strikes, some peaceful as Somerset, some like Mingo, with its Logan battle of ten thousand armed men. The destiny of the Great Republic continues the same:—to march on with a bellyache in its best coal beds.

The ache, of course, affects more than fuel. Coalbeds are simply the liveliest battlegrounds in the struggle for power in American life. The coal fields produced the United Mine Workers, "the strongest labor union on the continent," created by a generation of strikes for union. Strikes for union still go on; and the democracy outside

¹ In *Non-Union Mines. The Diary of a Coal Digger in Somerset*, by Powers Hapgood. Published by the Bureau of Industrial Research.

the coal fields greets each with the same surprised questions: how exactly did all these thousands come on strike? Did they state an aim: when: to whom? Was there planning or plotting? How did they manage to stay on strike so long? How did the coal operators act? What's their idea? How did the miner's national union act? Is the union changing? Sometimes the answers have been furnished by Federal Coal Commissioners. The latest commission has reported¹ concerning the "desires" of men in non-union mines: "Only a secret ballot conducted under absolutely impartial conditions could determine the actual attitude of the majority of the miners:" a finding certainly asinine, but probably plausible, given the general state of public opinion. This commission did "not deem it either advisable or necessary to insert" in its report any "documents" or other trifles out of history. Perhaps a careful record of the Somerset sector, as typical of the whole long drawn out warfare, may reveal facts not emphasized in the blue books of either side or in the government white papers on coal.²

This book attempts a patient following-through of every angle in a single strike, based on field studies and checked against a dozen other observing "outsiders," with persistent questions to "insiders." It goes behind the record of courts and press; the story of a strike is the record of what goes on in men's heads.

SOMERSET: INDUSTRIAL TOPOGRAPHY

Somerset County takes up most of the space north of the Maryland border as far as Johnstown. The adjoining halves of Cambria and Indiana Counties and the

¹ United States Coal Commission. Report on Civil Liberties in the coal fields, dated September 8, 1923.

² The author of the map-booklet on Somerset roused such interest that a coal owner went after him with a rifle: the present record however will surely escape with the dislike of not more than a few leaders of the operators, a few leaders of the miners' union and some heads of government.

northeast corner of Westmoreland were involved in the "Somerset" strike. Over the mountains to the west lie "the coke regions" or "Connellsville district," supplying the near-by steel mills. The coking coal mines are in Fayette County,—where the non-union strike was larger than in Somerset,—and in Westmoreland County, where there were some strikes too. North of Somerset lies the bulk of District No. 2 of the United Mine Workers of which the record says much: and north and west of Fayette is District No. 5, long held to be at least as "responsible" for organizing in the coke region as District No. 2 was for Somerset.

More than one hundred and forty companies operated in Somerset, mostly belonging to the Somerset Operators Association which was dominated by the great Consolidation Coal Company, a Rockefeller interest. Outside the association was the Berwind-White Coal Mining Company, owned by the Berwind family, capitalists in New York transit, railroads, banks, shipping, etc. The United States Steel Corporation and Bethlehem Steel owned mines in the region: so did Pittsburgh interests, such as the Hillman Coal and Coke, and the D. B. Zimmerman concerns which had the support of the Mellon bank. The operators' association made no pretense of functioning as a publicly responsible democratic body; a group of three or four ran it; the president was John C. Brydon, formerly a Consolidation man, recently¹ elected president of the National Coal Association. No question as to the might of industrial interests involved: no question either that Somerset ran non-union. It is a land of little towns off in the mountains.

NON-UNION NORMALCY

An attempt was made to recapture the living, and the causes of trouble, in the towns before the strike, and to

¹ June, 1923.

get the story in the miners' own words. The American Revolutionists do not appear to have talked exclusively in the language of the Declaration of Independence. Farmers' letters, shopkeepers' diaries and the news sheets of 1776 "explain" the upheaval of the founding fathers differently, possibly better, than the simplified state papers. Somerset merited a similar explanation. This book's appendix gives the full account by Albert Armstrong, miner, English immigrant, of Gray, (Consolidation Coal Co) : a sturdy figure, an observing eye, a noticeable air of self-respect. His long-hand manuscript,¹ unedited except for omissions, recounts what scores of miners told in interviews: the newcomer's search for work and for orders; the unwritten law he encounters; what fellow diggers said of checkweighmen, dead work, bosses, shut downs and wage cuts; how he came to note that "every worker is union in his heart, wherever he is;" how armed guards appeared followed by rumors of strike; then the whirlwind, with Armstrong himself and others of "the boys" caught up, like flying leaves, into positions of leadership. To the discerning eye, his manuscript tells more than many volumes of official investigation, or than the first half of this book.

With it, to give the operators' picture, will be found the testimony, under cross-examination, of F. R. Lyon, vice-president of the Consolidation Coal Co. and the "biggest manager of coal miners in the world," given in injunction proceedings, Somerset Court House, April 27, 1922.

Also there is in the appendix the story of life at the Windber mines, and how he was summoned back there to help organize in April, 1922, by Joe Foster, miner, the son of a Hungarian immigrant; a powerful workman, an active citizen. Into the mines when eleven years old; fired or firing himself again and again; how he took to the

¹ Written October 6-10, 1922. See Chap. VIII. The bulk of the manuscript was printed in *Labor Age* in the winter of 1922.

United States army, and then to the union fields; how, as he sat "playing a social game of cards," there came his brother Steve and a secret committee from Windber to fetch him back to help a strike:—his cramped pages end, "I must say that writing a story is a harder job than a day's work."

In a fourth document, published ¹ in March, 1922, the day by day life of a coal digger in the Berwind, Quemahoning, Revloc and Cambria Steel mines in August-September, 1921, will be found in Powers Hapgood's diary, "In Non-union Mines." Six months after leaving Somerset, Hapgood returned as a volunteer organizer.

What moved the masses in 1922, and what limited the movement, are implicit in these miners' stories.

OUTSIDE SOMERSET: THE UNITED MINE WORKERS

Outside the region (except for a few local unions in the Meyersdale section) was the national or "International" ² United Mine Workers of America, whose International Executive Board and officers, John L. Lewis, president, Philip Murray, vice-president, William Green, secretary-treasurer, had headquarters at Indianapolis. Of its twenty-seven "districts," No. 2, (Central Pennsylvania), with headquarters at Clearfield, was supposed to have "jurisdiction" over Somerset and furnished three leaders specially prominent in the strike: John Brophy, president, James Mark, vice-president and T. D. Stiles, founder of the district's cooperatives and editor of the Penn-Central News. The district had nine "territories," whose chiefs constituted the district board: board members David Cowan, of Portage, William Welsh, of Nanty Glo and Peter Ferrara of Homer City resided nearest the Somerset non-union fringe.

In some obvious aspects the government of the miners'

¹ By the Bureau of Industrial Research. Excerpts in the "Coal" Survey Graphic, April, 1922.

² Called international because it includes two districts in Canada.

union might be deemed better than the Constitution of the United States. There are fewer checks and guards against democracy, such as the Senate system, the divorce of White House responsibility from the Capitol, the Supreme Court nullification of popular law and the rigid Constitution. The miners' biennial convention, representing four thousand locals, is the one and final legislature and judiciary, which can and does rewrite the Constitution persistently, and to which the officers are directly responsible, (though they are elected by referendum of the locals). A clumsy government, it goes astray as frequently as it goes ahead, (but it strays habitually in a different direction from the government at Washington). As a political organism the most noticeable lack is the lack of political parties; instead there are factions with local leaderships, much like American politics generally, though with an almost unbelievable ferocity of personal partisanships. Sending a man to hospital to prevent his vote and planting a prostitute in the room of another, with a flashlight taken, for the same purpose, were items of a recent convention. There is in general the usual pitting of rank-and-file against officialdom and within officialdom a constant, largely personal struggle between district and international executives. District presidents make the likeliest candidates for the international presidency: very large districts disturb balances of power in the union. If District No. 2 in 1922 had organized all the non-union miners "in its jurisdiction" it would have become the second largest in the mine workers; almost as big as District No. 12¹ which the international has at times tried to have divided.

As in other labor unions there has been a steady undemocratic aggrandizement of the central government or international president. The causes are first the incorrigible democracy of the local unions, jealous of their rights

¹ Illinois, ninety thousand members, and a larger treasury than the international's. "Anti-administration politics" usually turn on a ticket of "one man to swing Illinois and one man to get anthracite."

and autonomy, and disposed to order things considered impossible by their executives. International presidents act as if they felt themselves straddling a gusty mobocracy; in self-protection (not to speak of the natural greed for power) they strive to solidify the international's authority, "interpreting" the union laws to undercut opposition leaders and appointing "international organizers" to build up what they and their opponents freely call "the machine," (discoverable in other American politics). Second, the eternal isolation of the locals from each other, mostly lost in mountains, and the unwieldiness of the conventions (two thousand delegates) force the rank-and-file to grant almost arbitrary powers to the president. Third, and perhaps most important, the existence of the non-union fields compels the union to a fighting life, a military morale, with a quasi-military secrecy of executive acts. Like other democracies the union tends to turn into an autocracy "for the emergency of the war," which lasts as long as the non-union fields. Also as in war, the union's press is an "official organ" with a vengeance; the union lacks, except in localities, even the pretense of that kind of printed criticism of itself which ordinary newspapers furnish to ordinary American politics.

The result is that there have been crises when the international president pretty much was the union, as happens also in some American national crises. The support of strikes, often the calling of them or calling them off, the taking of locals into the union or the throwing of whole districts out, have often been dictated by one person, the president. Matters of importance are supposed to be voted by the International Executive Board. The board members are subject to the president's orders; generally they strive to please. Examination of any United Mine Workers membership list moreover reveals peculiarities; e.g. the following treasurer's report for November, 1922, (when through slack work, strikes, etc. the paid-up mem-

bership was about one hundred thousand short of actual United Mine Workers "strength").

District No.	Membership	District No.	Membership
1 Anthracite (North).	31,999	17 West Va.	15,019
2 Central Penna.	39,650	18 Canada (West)	9,321
5 Western Penna.	42,258	19 Tennessee	4,630
6 Ohio	45,317	20 Alabama	1,023
7 Anthracite (Center).	12,999	21 Oklahoma-Texas ...	10,295
8 Indiana (Block)	411	22 Wyoming	7,647
9 Anthracite (South).	37,594	23 Kentucky (West)...	15,112
10 Washington	1,888	24 Michigan	1,676
11 Indiana	23,753	25 Missouri	6,967
12 Illinois	92,787	26 Canada (East)	9,111
13 Iowa	9,850	27 Montana	4,355
14 Kansas	7,205	29 West Va. (So. E.)..	4
15 Colorado	1,113	30 Kentucky (East)....	92
16 Maryland	340		
		Total	432,416

This shows eight districts of less than two thousand membership, or so dependent on the president that their representatives' votes would be dummies. To these invariably may be added half a dozen districts either carrying strikes or other difficulties which make them more or less subservient. The president starts with a clear majority when he asks the board's approval of his acts.

The same is true, in a much lesser degree, of the General Policies Committee meetings, summoned by the president at intervals, and made up (one hundred to one hundred and twenty present) of the district officers (four each, including the International Board members.) This is a sort of war conclave, rather democratic, except for its secrecy.

THE EVE OF A NATIONAL STRIKE

The General Policies Committee Meeting of March 23-4, 1922, at Cleveland, made American history; how much we do not yet know. It launched the (quite inevitable) national strike of the union miners, begun a week later, against wage reductions demanded by the union

operators, privately demanded also by the Washington government. The length and strength of the strike were unexpected: its outcome was unexpected to the owners, to the government and to many (perhaps a majority) of the miners' leaders. American labor went down hill after the failure of the miners' strike in November, 1919; after August 15, 1922, labor was on the make.

An unexpected thing came out of the Cleveland Policies Meeting in the shape of an invitation to all non-union miners to join the strike. Apparently the union had never done that before, on the eve of a national strike. The press paid some attention to it, including a line or two in a few newspapers circulating into non-union fields. It looked like an after-thought, or a gesture. District officers, leaving Cleveland, puzzled what to do about it.

Most districts then saw war councils held, each a small replica of Cleveland. District No. 2 was greatly concerned with the fate of its own forty-three thousand members—a sprawled out district, suffering acutely from coal over-development with its attendant slack work, small locals and unorganized mines; an "outlying"¹ district, with undeniable "weak spots" in strikes. Its rank-and-file were energetic and rather militant; the most democratic district in the mine workers in one respect; its regular organizers an exception to the rest: they were elected by the rank-and-file. Despite fears for themselves in the strike, President Brophy's board found time to consider the non-union business and decided to pass the authorized invitation on to the Somerset miners.

Quietly, solidly, without malice, rather carefree, the union rank-and-file took their tools from the mines and struck on April 1. Within a fortnight a very unexpected thing had begun, quite typical of a labor movement char-

¹ That is, not a member of the Central Competitive (or Scale-making) Field.

acterized for two generations by unexpected developments.¹

This book will disappoint those who can stomach history only in gobbets of dramatic personalities. Certainly John Lewis, the powerful president of the miners' union is not the hero of it: much less is John Brophy, president of District No. 2. To the contemptuous, who will say "the history's hero is the mob," we must admit that the facts seem to point that way. "Little" men,—as this great world goes,—local leaders, captains and sergeants of hundreds of isolated groups, the Albert Armstrongs, Joe Fosters and Powers Hapgoods (whose writings history relegates to the appendix)—they seem to be the nub of the story. Greater American events, than a year's strike, might if truly recorded, boil down to the same sort of men.

¹ No account is taken in this history of the allegations, often definite, of past collusion between union officials and corporations' representatives to "protect" from organization one of the towns in the Somerset field—Windber. Allegations of a strike "sold out," of moneys paid by a notorious "labor fixer," of organizing efforts mysteriously called off, have been current for fifteen years. They are disregarded not because disproved but for reasons which will be apparent in the record itself.

CHAPTER II

NON-UNIONISM FROM THE OUTSIDE

What went on among the twenty-four thousand men in the Somerset field and other non-union parts of District No. 2 remained undiscovered to the world outside in the month of April with these exceptions: a few summary paragraphs in the general press and three stories by a staff reporter in a New York daily;¹ full accounts in the labor press served by one news agency;² such copies of one Johnstown, Pennsylvania, paper³ as circulated outside. The United Mine Workers Journal on April 15 had two lines on Somerset.

What went on among the forty-two thousand men in the coke regions adjoining District No. 5, was a little better published in April; the Pittsburgh papers carried a few stories summarizing the count of mines closed, detailing nothing of how it happened; New York papers had one or two fuller accounts. The Survey, New York (April 22) and certain labor papers gave clear first-hand observations. The Mine Workers Journal in June began a series of accounts. What happened among the miners in Westmoreland County was never much published anywhere.

Then several surveys of the Somerset field were made by outsiders; one, which constitutes the rest of this chapter,⁴ has been checked against the observations of three

¹ Thoreau Cronyn, whose articles in the New York Herald, April 23-30 constituted the first real news published outside.

² Federated Press: its correspondent, Art Shields, was kept in the field for two months at the urgent request of District No. 2.

³ Johnstown Democrat, whose editor, Warren Worth Bailey, single taxer and ex-Congressman opposed by coal operators, opened its columns freely to the strike story.

⁴ The original manuscript, with a few additions, from which parts were published as follows: Nation, May 17, 1922, "Liberty and Union in the Coal Fields;" Survey, May 13, "After West Virginia—Somerset;" New Republic, "Questions for Coal Barons;" all by H. B.

other members of the Bureau of Industrial Research and particularly against those of Carter Goodrich, who had spent the previous nine months in District No. 2 studying the characteristics of union miners' work practices.¹ The following record contains facts which were salient and typical, as later research proved.

A FORTNIGHT AFTER THE STRIKE BEGAN

April 15 to May 1, 1922—There's no one man or group of men, on either side of this affair, with whom you can sit down and get the whole story so far. Men supposed to be directing things are still learning every day just how this, that and the other mine came on strike a day or a week or a fortnight ago. A certain spontaneity is the first characteristic which you find sticking up in the picture continually; the second is that these spontaneous manifestations fall into one common form, have a common objective. A leader in it who has been around as much as anybody says: "It's surprising and it ain't. Surprising they're *all* doing it, but doing what? What our daddies did."

On the one side a spontaneity in unionizing, and a spontaneity in resistance on the other, makes necessary a continual sifting and searching of separate observations. The isolation of the mining regions in the mountains, and in this region the extreme isolation of the towns from each other makes the facts harder to find but also heightens the significance of any similarities. Things have been happening among fifteen thousand to twenty thousand men in all sorts of places all at once. But earmarks stick out.

There has been a sweep of ideas through here. Men of one idea have been finding each other out. The ingre-

¹ Goodrich, later on the economics staff at Amherst, author of the *Frontier of Control*, had obtained the heartiest welcome and cooperation from the district officers in furnishing data and helping in his analyses.

dients for a mixture have been all through the field for years. It got a shake and the whole thing just jelled.

INVITATION CARDS

You can hold the ideas in your hand—printed on a card a trifle larger than a postcard. The sweep of the idea-cards was also a tangible physical fact. The day before the start of the union's national strike (Saturday, April 1) and several succeeding days saw these cards carted from many directions into most of the non-union camps. At the same time five thousand copies of the union men's paper, Penn-Central News, were put where non-union men could pocket them. One side of the card reads:

STRIKE HEADQUARTERS,
Front Street and Keystone Avenue,
Bell Phone 68,
CRESSON, PENNA.

To All Non-Union Mine Workers:

STRIKE!

QUIT WORK!

THIS IS YOUR FIGHT!

LEAVE THE MINE!

BRING OUT YOUR BUDDIES

650,000 Miners are out to resist wage reductions which threaten ALL MINERS.

The Union welcomes you. Join the organization and gain its protection. You need the Union, and the Union needs you.

If you want an organizer, call up Strike Headquarters.

If anyone interferes with your constitutional right to hold peaceful meetings, notify Strike Headquarters.

Don't let the companies fool you with false news and misleading offers. Keep us informed of all developments.

STAY ON STRIKE WITH US UNTIL

WE WIN A VICTORIOUS SETTLEMENT! MINERS UNITED WIN!

JOHN BROPHY, President,

JAMES MARK, Vice-President,

RICHARD GILBERT, Secretary-Treasurer,

District No. 2, United Mine Workers of America.

The other side reads:

TO NON-UNION MINERS

This is a
STRIKE TO END FEAR!

NON-UNION TOWNS ARE TOWNS OF FEAR.

Non-Union Miners Have Lived in Fear—

Fear of the Boss.

Fear of Spies and Spotters.

Fear of Gunmen and Coal and Iron Police.

Fear of anti-union Civil Authorities.

Fear of the Blacklist.

Fear of Evictions.

Non-Union Miners Have Been Afraid—

To tell the boss what wages they want.

To demand pay for dead work.

To stand up for honest weight.

To trade at the cheapest store.

To meet and discuss their problems as Free Americans.

UNION TOWNS ARE FREE TOWNS

Union Miners Enjoy—

The Right of Free Speech.

The Right of Free Assembly.

The Right of Collective Bargaining.

The Right to Trade where they please.

The Checkweighman's protection against false weight.

The Mine Committee's protection against unfair bosses.

The Union's protection against poverty.

THOUSANDS OF NON-UNION MINERS ARE NOW
THROWING OFF THEIR FEAR!

STRIKE!!! 650,000 Miners Are With You.

JOIN THE UNION!! and

QUIT BEING AFRAID OF THE BOSS!

Unusually intelligent invitations—if the facts of non-union towns should really be as they allege. If there are checkweighmen in non-union towns, if there is free speech, if there are no “gunmen” or “spotters,” no common and visible fears—very poor drawing cards.

The cards put the next move entirely up to the non-union readers. “If you want an organizer, call up Strike Headquarters” (and the phone number is added). Strike! and “if anyone interferes with your constitutional right to hold peaceful meetings, notify Strike Headquarters.”

Re-reading the cards one thinks: if there are no fears, there will be no party. Nor, on second thought, if the fears are too great. Between the lines, you see the union idea simply taken for granted.

The emphasis on fear found some justification during the distribution. Within a few hours eight of the distributors had been arrested. Jitneying into Windber, Jerome, Boswell, Jenner and other non-union towns was not like driving into Portage, Cresson, Nanty Glo and other neighboring union towns. Company police and guards with guns stopped the autos.

I have talked with a score of the distributors: a few union officers, many union volunteers, railroaders, truckmen, organizers of cooperatives, non-union workers. Evading guards was their principal occupation. In Windber, a considerable town with a local company-owned paper, they bought the newsboys' stocks and supplied their own newspaper to be distributed. In other towns they hired youths, as a drummer would hire boys to pass around advertisements of soap. In other places by inquiry they found "friends," unnamed live-looking miners, who at once quietly took over the job.

Some of those arrested were taken to Sheriff Griffith, a pleasant gentlemanly person, who ordered them out of Somerset County. His order was illegal, he admitted, but he justified it on the ground that the mining population was mostly "a bunch of ignorant foreigners." He did not say they were too ignorant to understand the card's ideas.

FIRST RESPONSES

I don't believe anybody will ever know exactly where the Somerset strike started. In more towns than claimed to be Homer's birthplace, are groups of miners who believe that "they were the first," at about the same time. At many mines, groups of tonnage men simply began to

"stay home" and found other groups doing the same; they would be followed by groups of day men (company men); then by anxious bosses inquiring "What's the matter, boys?" It was hard to date when such mines were "down." Other mines were all out in a day. The clock struck for them as it struck for all union mines on April 1.

The first big mine to stop production completely was the St. Michael's shaft of the Berwind-White Coal Mining Co. Before Friday, March 31, the distributors of cards and Penn-Centrals found the mine going 100 per cent and no miners visible above ground, only a fireboss ending for the day. Firebosses aren't eligible for union membership; "when they go bossing they're too close to the company." But this fireboss in a non-union mine said "Give me your cards and papers. When I go to work tonight I'll leave some in every room." Next morning the miners, starting work by pairs in their rooms, paused to read by the light of their lamps. Saturday morning very few men were working: "it's Mitchell day"—in union towns all men would not only be celebrating the miner's holiday but would be striking; St. Michael's men were "tired"; others were "just staying home,"—reading and talking in groups. Messages began going out from St. Michael's to the nearest union towns, to Nanty Glo and South Fork and way off to President Brophy in Clearfield.

The fireboss wasn't alone; later the organizers found a union man from Ruthford who "had been putting in his nights over there" in St. Michael's; and another union man who, all in one day, had applied for work there, got a job, signed up for a company house and begun circulating among the miners underground, helping "pull the mine" the next day.

By Tuesday, April 4, the St. Michael's strikers were impatient; the messages had fetched no "speakers;" St. Michael's set out en masse, some five hundred men and

boys, afoot, ajitney, the three miles to the union town of South Fork. Nearly there they ran into two of the sent-for speakers, T. D. Stiles, editor of the Penn-Central News, and Joseph Slifco. "And they call me a firebrand" remarked Stiles staring amazed at the marching line. All South Fork rose to the occasion; at the "grand meeting" which immediately resulted, two hundred and thirty-seven St. Michael's men were "obligated"¹ and two hundred more sent in their names for union membership.

But that same day in the evening, Stiles and Slifco and George Cowan, and another union man from Portage were hustling to Conemaugh, twenty miles down the line, summoned to a meeting of miners of the Cambria Steel Co. who had struck with the steel workers in 1919, been unionized and crushed. Outside the hall the speakers pushed their way through a surly crowd of bosses and guards. Inside they found a young Slav talking: "Fellow workers, come on. You can get a pick job any time. Remember those men in the union fields who have hardly worked for a year whose children have no shoes to go to school. They are striking for us. We strike for them." That meeting voted a strike; two hundred joined the union.

But it was also in these same days, April 1-5, that messages were going out from Windber and Scalp Level, traditional non-union strongholds of the Berwind Co. The Windber messages to Brophy, to Mark at Dubois, to Joe Foster at Nanty Glo, to Cowan at Portage, to Stiles at Cresson, said that groups of miners were staying home since Saturday; holding secret meetings; there were committees. At the South Fork—St. Michael's meeting (April 4) a Windber committee of six sought Stiles: "Where are the organizers? Windber will strike." Stiles had seen two strikes against the Berwinds in years past

¹ The formal promise of allegiance to the union is called the "obligation."

fail: "You can't get them all," he said. They answered every man would come.

"The day men won't quit."

"Why half of us six are day men."

"The motormen and spraggers won't."

"Why three of us are motormen."

Back in Windber on Wednesday night in a roadway (they had been driven from the company-owned park by state police) three hundred men held a meeting, "mostly young fellows, motormen and spraggers, and some old hands. Who comes walking into our meeting? Booker, the Berwind super; and wants to know what the boys want. 'We want organizers,' Jim Gibson up and tells him. Mr. Booker says he'll take back the wage cut,—40 per cent, whew!—which had just leaked out, already in effect; he'll give us raises, whew! Somebody says, 'And when will you take back the take-back?' We tells him we don't want the wages posted on a pole or the tippie; we wants 'em in a signed union contract."

Wednesday night and Thursday morning more "committees" were off with messages to union towns. Thursday morning Mine No. 36 walked out.

"Thursday afternoon," Stiles says, "when Cowan and I got near that field at Windber and sighted the tremendous crowd,—about twenty-five hundred—we agreed 'Either they're out to lynch us or be organized complete.'"

The crowd had a chant, "No work tomorrow." When things quieted and the speaking began the local committee interrupted: "Organize us first and have the speeches afterward." They settled it to have both at once; while the speakers took the stump, nine committees of three miners each on the edge of the throng wrote down names and took in dues; they were at it all afternoon.

That Thursday evening another "committee", young Steve Foster and two more, were finding Joe Foster and Board Member Welsh in Nanty Glo. (See Appendix.)

On Sunday, the 9th, was "the big meeting," four thousand present, with President Brophy, International Board Member Ghizzoni, Joe Foster, Stiles, John Brezezina, Polish organizer from Portage and George Bassett from South Fork to speak: the total of dues taken at 50 cents each went to over \$2,000. On Monday Foster, as organizer in permanent charge, was obligating by the thousand.

But it was that same Thursday evening in Nanty Glo that Welsh was visited by another committee from another direction, Revloc (Monroe Coal Co.) in the Black Lick: "If you'll come to a meeting they'll come out." Welsh told them how to fool the guards: to appear for work next morning as usual, all go underground, and then at 10 o'clock all come out and the organizers would be waiting. The next morning (the 6th) "Welsh and I met a fellow driving out of Revloc like all hell," relates Joe Foster. "A black crowd he said was pouring out of the mines: most ran over his machine. And there they came—the Revloc miners, faces all black, in their caps and dirty clothes." No meeting place could be found near; the grim but grinning procession wound into Ebensburg, four miles away, where finally Welsh obtained a place for them to meet, in the court house basement, and organize.

Now I am continually finding men from Twin Rocks, Boliver, Park Hill, Seanor, Central City, Salco, Listie, Cairnbrook and other widely separated places who date the shutting of their mines, in whole or part, from these same first days in April; the Punxsutawney mines, fifty miles from Somerset, saw one thousand non-union men strike in these days. "What really is happening off in the coke regions, and Westmoreland?" I find the District No. 2 leaders have only the barest details. Except for a letter or two from personal friends, Art Shields, Federated Press reporter who came through the coke regions seems to have brought them the most they know. It was April 1-5 he says, that saw southern Fayette County burst on strike, and send for organizers to District No. 5: there

the mines shut down complete in quicker time, the meetings were larger, and more old union men appeared among the local leaders. The towns lie closer together, with good rapid transit between them and the whole region borders more closely the old union fields; it is only a step from one to the other.

Shields makes this comparison: "Johnstown here is an open shop town and most of Somerset the same; but you must remember that the coke regions have many biggish towns where the building trades, etc. as well as the rail-roaders have been organized for years; only the coal miners and coke workers have been out of it, disorganized by the Steel Corporation. So all over the coke regions, many weeks before the mine organizers appeared, live wires among the unions were busy asking the non-union miners, 'Why not strike next April with the union miners and get shut of these non-union wage cuts?' The United Trades Council of Brownsville, on the union-non-union border, has been all over the lot,—men like Peggy Delbarre and Robert Norman, all volunteers. They've joined hands with aggressive men in the miners' union, and representatives of the international, Bill Feeney, Hynes and O'Leary pitched in. All the while those Frick and Rainey plants were full of miners from the union fields, with a proportion of good union men among them who were pulling for a strike.

"The local groups got out union literature; each volunteer took a section where he knew friends, or made them, in a non-union mine. Leaflets and strike calls got pasted up on the mine properties. Every morning the bosses had something new to swear about. Then April 1 in Brownsville the union strikers began those big mass-meetings, five thousand to twenty thousand present, of course with non-union miners all mixed in. First thing you knew it was non-union men that were mass-meeting too, at their own camps, and yelling for organizers."

Such interchangeable labor activity is not unknown in District No. 2. "When the Cambria Steel Co. miners struck with the steel workers in 1919," say the leaders, "we organized a thousand of them. When W. Z. Foster and the other steel leaders couldn't or wouldn't stay in Johnstown, we took charge of the steel workers' strike here."

Organizability varies inversely as the isolation, apparently. In remoter mid-Somerset it is taking a second wave of the strike fever to begin to wash away the Boswell-Jenner-Jerome region. In all regions some places are surviving both waves: the towns where the guards are thickest and most militant.

Newspapers are of little use to the leaders at Cresson for keeping in touch with the coke region movement; the Pittsburgh papers carry next to nothing though the little, when found, is most impressive. If the Pittsburgh Press, on April 2, carried an I. N. S. dispatch, "Not one of the twenty-two thousand non-union men in central Pennsylvania joined the strike," the Gazette Times had a more accurate paragraph about the start of things in Somerset and on April 4, the Press, (page 1) Gazette Times, (page 2) Leader, (page 1) etc. were carrying the list of sixty-four mines down, "twenty-eight thousand on strike in coke regions," issued by the District No. 5 officers. For reaching non-union Somerset, however, the District No. 2 leaders have a mighty avenue in the Johnstown Democrat, edited by the single taxpayer Warren Worth Bailey. It prints all the strike news handed to it and some copies of it go into all the Somerset camps.

TYPICAL MEETINGS

April 25—Tony Neri's farm is the meeting place, an hour's ride south of Johnstown, near Coal Junction, in the heart of Somerset County. The platform is a stump.

The men are strikers from the Consolidation mines.

They have walked the few miles from the camps at Jenner, Acosta and Gray. Many bloods besides the Yankee and Pennsylvania German; Polish, Slavish, Italian, Hungarian and Spanish predominate.

Two meetings seem to be on. The four or five hundred miners make one, standing massed before the white-haired organizer on the stump. Back of them a few yards is a crescent of thirty, some wearing white collars. They are company officers, mine bosses, guards, "deputies" and gunmen. Mr. F. R. Lyon, vice-president of the Consolidation Company, is there and Mr. Kramer, manager of all its mines in Somerset County. So is Jack Bentley, for many years chief of the mine guards for the Somerset Operators Association.

"Why should you fear those men?" The speaker points to the bosses. "The only free American who fears law officers is one who's done wrong. You have the right to quit work and to meet. You have even the right to ask those fellows whether they really are law officers."

Mrs. Neri walks to the bosses and orders them to leave her property. They laugh. One calls her a name not customarily used to women. The Neris tell us how the bosses had been acting.

"They shut the gate, try to keep out the miners,—my gate" she says, "I open, they push me round—me."

Tony Neri breaks in. "Last Sunday, first meeting, they say \$6,000 for you farm. I say no. Then they say \$500 not to give permit for meeting. First \$25—then \$500—just not to meet."

We asked who offered the money. "The fat man, he was one." He points to President R. E. Beerits of the Randolph Company and of the Smokeless Quemahoning Company. "Then they call in my note \$158 on farm. But union lawyer Scott he get some money for me."

Part of the crescent splits off. Organizers Romese and Hapgood are leaving for another meeting. Two

autos of guards trail away after the union jitney. Slavish and Italian oratory succeeds the English. I marvel at the steadiness of miners' legs.

"You union?" A swarthy black-eyed youngster thrusts a paper into my hand. "What I do?"

The paper is a typed form with a name written in:

To Virgali Botella

Whereas you have ceased working for the Consolidation Coal Company and have refused to continue your employment you are discharged and you are hereby further notified and required to secure your personal effects at once and to withdraw immediately from the boarding house or dwelling.

Just an eviction notice: dated 26th day of April, signed by L. F. Sanner, the superintendent at Jenner.

"Same here," says Frank Maldet, Jr. "'Bout a dozen more got 'em today." It seems to be the same at Bie-secker, the local name for the Consolidation mine at Gray.

"They setting me out now," Frank Kirch, sunny-faced, slow-spoken, smiles as he goes on. "I ask tomorrow. They carry out my things this minute. Yes, I marry man. Five children. Youngest fourteen months, oldest six and a half years. Company not move me in; what right move me out? No, no place I know to go."

How long has he worked there?

"I work that Consol mine five years." "And you come to the meeting—now?" He nods. It is like mining. The vein roof may come down on your head, a rockfall, next minute. Things happen. This time the roof has fallen in another fashion.

The speechmaking is interrupted while the Italian brothers who have just given in their names are "obligated." In a circle, hats off, hands raised, they repeat phrase for phrase the promise of fidelity to the union.

"I was the first in Acosta" says a young fellow. "The day I heard the Jerome boys was out I walked over there to be union. Thirteen miles over, thirteen back." Now he has been "set out" too.

Dill, a boy of seventeen, says he and his buddy, Tierpak have just been trying to talk to the boys in Ralphton. Ralphton, owned by the D. B. Zimmerman Quemahoning Coal Co. is one of two mines not shut down, the only mines still working in that section. "We saw one or two, then the spotters threwed us out."

The first person they had spoken to in the road at Ralphton I ran across two days later on the steps of Somerset Court House. Half of his story was easy to get,—a black eye, a gashed brow, bodily movements as if he hurt all over. The rest came through a Polish bystander.

For speaking to a stranger, this Alex Yakovski had been "arrested" by a deputy, taken to the company office, there hammered with a blackjack, carted to Somerset County jail and held from 5 p.m. to noon the next day. No formal charges. Oh, yes, an eviction notice. "G— d— it," remarked Tierpak. "It was only 'hello' that I said to you."

TYPICAL ORGANIZER TALK

"The "SOKOLNIAPOLSKAWJEROM," Polish society's hall in Jerome, has six hundred jammed in, mostly standing; at first all heads are bowed over the Penn-Central News just distributed. Then local president Gregory introduces "one of the men on whose backs all us non-union fellows been riding all these years," Board Member Cowan,—"Davie" to all, grey-haired, a face cut out of red granite, whose hour's speech is the type of all the others. It's "rights—union freedom—union life" that is the burden of his talk. He soon gets past the talk of working conditions which he had seen or been told of in Somerset: "And I believe what the miners tell me because I know miners don't lie." He recalls the Berwind mine where they suddenly raised the rate 50 cents for the day men and began weighing one ton and seventeen hundredweight on cars that the miners had got only nineteen hundredweight on,—"cars I would say

on my judgment of a lifetime in the mines were two ton cars;" and another mine where a man and his buddy in a half month had loaded two hundred and forty-eight cars and got two hundred and forty-eight ton according to the weighboss; two-ton cars again they were, says Davie, who looked at them. And another mine whose weighboss used to walk along the trip and collect the tags off the cars and then walk back into the weighhouse to mark up the "weights" while the cars went over the tippie as fast as they could be dumped; "and that weighboss in Windber who used to take a walk down town while the cars were going over the tippie, and mark up the 'weights' from the tags left on his weighsheet."

It's the union ends the robbery; it's the union shortens hours; the six hour day is next: "Some of our own good union men told us that the country cannot get all the coal necessary in six hours a day. To my mind this argument is conclusive:—since the full capacity of the mines of the country running for seven months straight would supply all the country's needs, it is very plain that six hours a day for the full year will get out all the coal that is necessary and will spread out the work. Good union men objected the same way twenty years ago when we struck for the eight-hour day. At that time back in the anthracite, we got up at 2 or 2:30 or 3 o'clock in the morning to go to work and got out of the mine at 6 o'clock in the evening. We were supposed to be working a ten-hour day. We would be so weary we could not move and on Sunday we would just lie around and get the ache out of our bones. There were no idle days in those days either. You know how your head gets in a gassy mine. Sometimes we tried to come out at 3 or 4 in the afternoon all groggy and there would be the boss saying, 'Where the hell you goin'? Get back into that shaft.' And even then good miners used to say you can't get enough coal out in eight hours a day. But the union won the eight-hour day and now it's out to get shorter hours still."

But the continuous strand of Cowan's talk, its "linked sweetness long drawn out," is: "*You don't know what living is until the union comes to town.* When miners aren't organized they are afraid to get their fair rights in the mine. They are afraid to speak out when they know they are being cheated. And outside the mine they are even afraid to talk; politics, for instance, to say which way they mean to vote. In our towns the elected officers are union men.

"When the union comes the guards go. A man can stand up straight and say what he thinks about anything in the mine or outside of it."

After Cowan sits down, Gregory calls out to the men, "You remember those steps down by the tippie where our super used to stand and turn men back who came out at 5 o'clock in the afternoon telling them to 'get the hell back into the mine,' and if you didn't go he would push you off the steps into that water?" Yells from the Jerome men, "God, yes;" and Gregory's benediction: "Obey the law and fear God and it's some of that union freedom we'll have in Jerome."

The main headline in the Penn-Central News in the men's hands runs "Operators and the State Police Try to Send Union Leader to the Electric Chair." Andy Lusko, president of the United Mine Workers local at Clarence (which has been on strike for over a year against the Lehigh Valley Coal Co.) has been arrested, charged with a four-year old murder the paper says, and Dave Chambers, long time political boss of Center County and a coal operator, was party to the attempt to railroad Lusko.¹ "Know what broke Dave Chamber's power?" the union men remark. "The miners' union; nothing ever touched him; citizens were helpless; he used to vote the coal miners in a block; but since the miners organized he's going bust as a boss."

¹ Lusko was quickly acquitted of the charge at the May term of court.

ATTITUDE OF THE OPERATORS

Somerset produced George F. Baer, president of the Reading, who in the great strike of 1902 assured the country that "the rights and interests of the laboring man will be protected and cared for, not by labor agitators, but by the Christian men to whom God has given the control of the property interests of the country." His honored photograph adorns the walls of lawyers' offices near Somerset Court House. His gospel is the creed of Somerset coal operators today.

They practise it through the following equipment: three hundred and forty-eight deputies, enrolled by Sheriff Griffith at \$1 per day per head, commanded and paid by the coal companies; coal and iron policemen, enrolled by the state, paid by the companies to whom assigned; state troopers, not numerous but much feared, some taking orders from the irresponsible Bentley, others refusing to break up meetings; "spotters," in chairs in pool rooms, at telephone switchboards or crouched under the windows or racing the roads in motors; they had such handymen as an occasional priest to preach that strike meant damnation. As properties for the Somerset scene they had no-trespass notices on poles, fences and trees; burgesses' warnings on walls in towns; sheriff's proclamations all over the county. There was a lack of good lock-ups; "arrested" organizers and miners had to be taken to the county jail in Somerset town.

After April 19 they had injunctions; one sort was granted by Common Pleas Judge John Berkey. An impressive document. Two printed pages.

Now therefore we command you, the said John Brophy, President District No. 2, United Mine Workers of America, James Marks, vice-president of said organization.

With 11 lines of names whose very printing rouses suspicion:

Clarence Donaldson,... Borten,... Mallon, Powers Hapgood,... Taylor,... Houck, Dave Leak or Lake.

Really a "toothless" injunction against a man who has seen injunctions before but to the isolated miner in the camps a different matter. The companies printed the writ by the thousand and their officials "served" the papers on the miners in their houses; sometimes pleasantly, "Sorry boys but I guess that fixes you," sometimes unpleasantly, "Now you sons of bitches, you can walk to the mine and back home and that's all."

The other printed injunction, on a single sheet, began black-browed with heavy type and ended:

"And this as you shall answer the contrary at your peril.

BY THE COURT,
WM. H. RUPPEL.

Somerset, Pa. Nov. 14th, 1916.

P. J.

Coal companies worked this paper in the Hooversville region. This injunction was the relic of a strike five years dead. The signing judge was dead. Two of the men enjoined were dead. The fraud was used particularly against foreign-speaking miners. A Hungarian who noticed the document's date was nevertheless instructed by the company's borough officer, "This thing counts now. It means you fellows can't do nothing."

The background to all this is a normalcy of repression for years, partly through the company stores (men continually show me their final pay checks, or duebills for two weeks, "79 cents" and the like, left in cash after the company's check-off,) and partly through policing such as the following paper indicates: (this permit happens to be from Schwab's mines in Cambria)

To whom it may concern:

This is to certify that Mr. _____ has personally applied to me for permission to canvass our towns of Heilwood, Glenside (No. 9 mine) and Clement (No. 11 mine) for the purpose of carrying on his business _____.

Permission is hereby granted him, tho it is understood that in so selling ————— he is not to enter into a discussion of the present labor either one way or the other with any of our employees.

Very truly yours,
R. E. Abrams
Superintendent

But the main controls are through the man's chief necessities—a house and a job. Discharge and eviction are taken for granted all through here as legitimate weapons against men who have, or might, join unions. The eviction notices, I have seen a score, are mostly five-day notices; some are three-day; and at Jenner, at 2:30 in the morning of April 26, miners were waked up by Consolidation Coal Co. officers, handed their money and told to leave house and town instantly. The Davis Coal & Coke officers at Boswell a few days before also fired and evicted men at night.

The "front" to it all was put to me thus by J. C. Brydon, president of the Somerset Operators Association, in a few friendly words. He was with Consolidation for six years, Lyon's predecessor; now he has his own coal company, the Quemahoning Creek, is a partner of D. B. Zimmerman in the Listie Coal Co.; and is associated with Lyon, whose brother-in-law, R. E. Beerits, is president of the Smokeless Quemahoning, located on a small slice of valuable land between two Consolidation holdings. Brydon said: no committees are allowed in Somerset because "when you have committees you end the initiative and rights of the individual; Somerset companies will deal only with individuals and maintain personal relations. Committees or employees' representation is a destruction of the rights of the individual. You are from New York? Then you ought to appreciate the public service which the non-union fields render. Where would you be in these national coal strikes without us?"

TYPICAL UNION DIRECTION

Field headquarters of the union is at Cresson, on the edge of District No. 2. A room jammed with three desks, a table, two typewriters, two telephones. At the other end of the building, one of District No. 2's twenty-eight cooperative stores. It is Saturday evening, April 22.

Vice-president Mark at the telephone. "No, President Brophy's down there at a meeting. Can't get anybody to you tonight. Arrange your meeting for Monday and I'll get you an Italian and Slavish speaker."

All afternoon he has been answering calls from recently formed locals in Somerset. When he runs out of available men in the field, he calls up a union mining town ten or twenty miles off and tells the local officer to take a jitney and speak at the designated point in Somerset.

Railroaders drop in. They want to know if they can't distribute the union's papers on their run. Truck delivery men make the same offer.

Organizer Donaldson, a youngster, reports how the meeting went at Cambria City. He had gone alone.

"The boys had a hall all right. I found the road in front of it blocked solid with the super's and bosses' cars. There were just little passages left at each end of the autos for the miners to squeeze by, and about forty thugs made a gauntlet there. Taking the names. Each miner that went in, they'd say, 'That's Tom the —; that's Mike the —; get Joe the —.' After the boys went in the bosses kept up a continual pounding on the walls of the hall. But those boys joined."

Mark at the 'phone again. "Why, two pairs of organizers went to you fellows this afternoon. Well, where are they? I'll send again. You be on the street in an hour."

Who was it? Mark doesn't know. A miner. Names aren't necessary. It's hard enough to get union head-

quarters over Somerset wires without adding names to the dangers. Later a strange jitney will go into the Somerset town. A miner will ask if they're the organizers. He tells the field, pool room or lodge hall where the boys are gathered.

Mark calls up the town of Portage and gets Board Member Cowan on the wire. "I know you just came back Dave but this is important. It's Acosta, you know. Take a couple of boys with you."

We can hear Dave's voice racking the telephone receiver. He's worn out and hoarse from speaking but by God he'll get there.

Mark is perplexed. "Romese and Soltis, then Mallon and Hapgood have answered that same call today. The Acosta men say they're going to come out."

Board Member Taylor comes in and tells how the Davis Coal and Coke men struck at Boswell last Monday. Nobody had been able to get by the guards there. One night the Boswell boys called up. President Brophy and Editor Stiles rode down at once and were talking to miners in the street when they were mobbed by guards, spotters and states (constabularies). Afterwards Hapgood and Mallon went in and Bentley held them under arrest for some hours.

"Last Monday morning early," Taylor went on, "when we all drove in, the miners were on the bridge near the tippie waiting for the man trip. Bentley and his gang barred the road. Bentley pulled his yellow billy on Hapgood and another fellow threw Romese all around. The miners up above were watching. We said we had the right to walk a public road. Chief Beanie kept hollering that nobody in Boswell wanted us. And right then the miners on the bridge came streaming down on strike. We all marched up to the nickelodeon and held our meeting and out of three hundred we obligated two hundred and fourteen right there."

That sort of record, my notes show, is duplicated for half a dozen Somerset towns.

Trampling at the door. It's Romese and Soltis looking as if they'd seen something.

"Where we been? Ralphton! A sweet place. We missed those Acosta boys and another message told us to hurry to a meeting in a field near Ralphton. The minute the jitney hit town the spotters began blowing their auto horns. We turned round and as we were leaving the whole town came down on us. Looked like a trap. Two guards waded through a swamp at the bend of the road and cut us off. Meanest looking Italian I ever saw climbed on the hood with a gun and covered the driver. The guards yanked open the doors. Yelled 'Here are the dirty sons of bitches. Now lynch 'em.' It was funny. Bosses and business men too, all shaking with rage, screeching '*You* grab him, *you* start it, string 'em up.' Why there were women in that crowd. I kept looking for miners. Never saw grown men so trembling mad. Thought they'd never let up. A fellow I think was the super came up and said drive 'em out of town. So we drove."

"I want to reassure you boys," Mark breaks in with solemn tones, "that if and when you are lynched the entire official family of District No. 2 will attend your funeral."

Shouts of derisive laughter. Romese was a soldier in France, twice wounded, and his friends know how much he can be scared.

But Mark is worried; about Cowan. Has he gone into a trap—at night? Long after midnight the 'phone rings. It's Cowan. He'd found those Consolidation boys; a big meeting arranged for the next day.

Sure enough on Monday, Acosta and Jenner were on strike and the men signed up.

WHY SOMERSET UPHEAVED

People in Pennsylvania have been striking hands. That's about all there's to the history of the organization

of Somerset. The "invaders" approached from nearby union towns. No organizer has been here from the international union headquarters at Indianapolis. The District No. 2 organizers moreover are elected by the rank-and-file. They have not the eloquence of the more experienced or "professional" organizer. They issued a call on March 31; twenty thousand copies of the strike summons and copies of the District No. 2 newspaper; and since then they have answered countless calls.

The miners in Somerset awaited a sign. A visible presence was the only sign that would do. For years the Somerset camps had been kept by guards and spotters. Could the union, or anybody, get in, so as not to leave the strikers alone with the guards? The sign apparent, Somerset struck.

WE ALL GO TO COURT

The king's robing room, where the miners in England called the dukes of coal to book in 1919, had a sort of counterpart in the lofty court room of Common Pleas of Somerset County on April 27. The barons of Somerset, sitting in a row within the rail, and the miners crowding all available seats, heard the injunction argued before Judge Berkey.

The barons were urbane, well-dressed, some lean with glasses on their noses, some with paunches reposing on their thighs, mostly pleasant gentlemen of poised address. The miners stared at the high ceilings, their faces strained to comprehend the legal noises; their laughter was quick and free, however, as points were scored for them. The judge was curt. He kept us all there until 11 o'clock that night.

The Consolidation case is called first, as a test; the injunctions for Berwind-White, the Hillman Coal and Coke Co., the Quemahoning and a dozen others are of one stripe.

The operators' lawyer quickly divulges their case.

"We intend to prove that this is a conspiracy. If outsiders get our miners to quit work *even by persuasion*, they are committing an illegal act. Especially when accompanied by meetings.

"What is the purpose of these defendants? To unionize the miners and injure our business. We have a legal right to conduct our business as we see fit, the right to run non-union mines.

"These acts of organization,—strike cards, meetings,—are unlawful acts."

The judge requests him to cite his authorities.

Counsel begins reading, "245 U. S. p. 229 Hitchman vs. Mitchell." As he reads on into the notorious magna charta of the open-shop in America, the judge asks whose opinion that is.

"Justice Holmes—no, Pitney's, 1917. It proves that the union activities are illegal."

The judge tells him to read on; he wants full light on this case. At last counsel concludes and demands: "What standing have they in court when the Supreme Court of the United States says *it is unlawful* to go in and organize a non-union mine?"

He cites the Flaccus case in 1901; and another older still.

Mr. Kintner and Mr. Scott set forth the union's answer. That the Hitchman case, based on written contracts, does not apply to Somerset. That the purpose of the union is legal—to improve living and working conditions.

"While it is a well-known fact that the sole purpose of the plaintiff and the Coal Operators Union of Somerset County, of which plaintiff is a member and actively financially supports, is to make money at the least possible expense and pay dividends to its stockholders regardless of the miners' wages, the welfare of themselves and their families and the conditions under which the miners work and exist. The apparent cordial re-

lations, good-will and harmony which complainant emphasizes throughout its entire bill of complaint is sham of the thinnest veneer and is nothing more than a cloak under which it attempts to conceal and justify the intimidations practiced by it at its various mining plants; as justification for the constant employment of the coal and iron police, bought and paid for deputy sheriffs armed with authority of Somerset County and used to browbeat, threaten and intimidate."

Judge Berkey reserves decision on the legal points; we proceed to testimony on the literature and acts of organization. F. R. Lyon, vice-president of Consolidation takes the stand; a large, driving man, with red cheeks and a cold eye.

Yes, he was an "outsider," living in West Virginia, and the Consolidation main office was at 67 Wall Street.¹ Yes, many men had been fired. "When they join the union, they cease work. So we discharge them." He didn't know how many deputies and guards were at the fourteen Consolidation mines.

They're our mines; how we run them is our business; that is the Somerset creed, frankly set forth.

Other Consolidation operating officers testified. "We pay a man according to what he's worth; no general scale. I don't know what the union scales are. Nobody complained when we reduced wages. I forget how much the reductions were. No, the price of coal wasn't reduced."

What caused the strikes? "These newspaper articles about mines stopping instilled fear into the men."

The meetings caused fear? "Possibly the men felt that if they attended meetings the results would be harmful."

Such stupidities piqued my curiosity; during a recess I asked one of these witnesses whether the Somerset mines presented any special difficulties of operation.

¹ See Appendix for summary of Lyon's testimony.

He puzzled a bit, then answered: "We gotta run these mines non-union."

A guard takes the stand. He has a dynamite story.

"This fellow had been fired for joining the union and wanted to go in and see his woman, so super sent me with him. He said he knew some headings that could be shut down in one evening for a long time with dynamite."

"Weren't you scared?" asked the union attorney.

"No, I didn't believe him."

A. W. Louther, assistant manager, denies that thirty-two men were fired in a batch for joining the union. "They were just told to turn back. They weren't needed any more. They might have contaminated the rest."

Finally the enjoined union officers' stories are heard; into a town and thrown out; thrown into a jail and let out; the Somerset merry-go-round. "At Meyersdale nine autos of Consolidation guards and a speeder of Baltimore & Ohio police finished our meeting." "At Biesecker there were eighteen guards to twenty-nine miners."

"At Jenner Constable Mays and seven guards throwed me and Brother Hapgood out." Brother Pete Mallon is on the stand. Here in Somerset, across the street in Lawyer Scott's office, some weeks before, the Burgess and the borough cop had found Mallon and Hapgood. "They marched us downtown and said 'Youse has got to leave town.'" Mallon followed the union's non-resistance policy and left; Hapgood went to the lockup.

Witness Powers Hapgood irritates the company lawyers exceedingly. Harvard graduate, author of a booklet on the non-union mines of Somerset, miner, volunteer organizer—they put venom into their questioning.

"You came in here secretly and a spy?" No, Hapgood had worked in the mines openly, last year, giving his own name wherever he got a job.

"Did this Bureau of Industrial Research that sent you into our non-union mines, did they *know* that you were a union man?" Yes; they seemed to think a miner familiar with union conditions was more likely to notice differences.

Judge Kooser, a companies' counsel, mourns over Hapgood as he leaves the stand. "A bright boy. Seized with such a fad."

George Gregory, Welshman, churchman, coal cutter at the Jerome mine of the Hillman Coal Co., disturbs counsel even more.

"Yes we're on strike. Since Good Friday."

Why? "The operators organized Somerset. They forced us in."

How long had Gregory lived there? "Eleven years I existed."

"You seem to be existing very well."

"I'm finished. They know me now. I'll be pushed out. I didn't know the Americans'd wait eleven years to organize Somerset. Now I'm president of the local. Thank God."

The lawyer says that will be enough.

And now the court. "Why do you operators go to the men's meetings? What business have your officials there? Would the operators tolerate a miner at their meetings?"

Some barons' glasses fall off their noses. Their counsel cries out that it is just these meetings that they consider unlawful. "Have they the right to come into a non-union county to organize?"

Judge Berkey holds: "They have the right to their meetings. Not on company property but in the vicinity. I haven't held they have the right to organize. That's a delicate question of law. I'll decide that later."

Consolidation's lawyer protests. "Have they the right to build a bonfire *near* my property, because it's not *on* it?"

Judge Berkey makes his orders clear. Operators and guards have no business at miners' meetings. The miners leave court with heads in air.

Leaving we pass the jail. Miners' faces at all the bars. The lawyer gets them out as fast as they're thrown in. When they get home they find their goods "set out."

BACK TO THE REALITIES

Courts can do nothing about the evictions. The union's count runs: eviction writs served in the three counties three hundred and eighty-five; by Berwind-White one hundred and ninety; by Consolidation one hundred and two; actually evicted eighty. The court proceedings fade away into unreality. The stocky gunmen, dumping into the roadway the beds, stove, food, clothes, canned posies, chromoes and gramophone, with six children staring and the dog barking—these are real.

The town meetings are real too. We drop in on one at Boswell. Because we rattled a bit at the back door, we find the hall full of alarm, two hundred jumpy faces turned to examine us and reluctant to turn back toward the speaker on the platform. "The union means freedom," the speech goes, "the union is liberty, democracy."

Afterward the organizer is beset with questions: what is the union this and the union that? how does the union do the other?

"Say, what's the union scale for fireman in the brewery?" The miner-organizer is non-plussed; the man explains that he is the fireman in question. "And you've joined this local?"—"Sure."

Another man whispers to the organizer: "Gawd's sake, don't touch the brewery; the judge owns it."

"I'll look up the scale and let you know," the organizer reassures the fireman in the brewery.

Democracy on the go seems to have an incalculable reach.

CHAPTER III

HOW MEN GO UNION

The very human facts of a mass movement can with difficulty be subjected to anything approaching a scientific assay. But whatever generalizations can be made are likely to be more important than the more precise statistics of coal production, and so forth, which too often constitute the "record" of a strike. This chapter grows out of observations made from March, 1922 to May, 1923; it largely agrees with, and in part follows the wording, of an analysis¹ of the situation made by Carter Goodrich who ended a winter of study of the miners in District No. 2 with critical notes of the start of the movement in the new-union field.

The record here attempted has importance because it is typical of a long history of miners' strikes for union; yet as each new strike of the old sort crops up it still meets a public opinion disposed to say "Well, this or that little accident set off the strike and it won't happen again." In 1922 the assigned accident was the fervor resulting from a great national strike in the union coal fields, punctuated by the union invitation to the non-union fields. Such was indeed the background; but a broader fact characterizes the start of the Somerset and coke region strikes. In 1914 in Colorado, in 1920 in Alabama and in 1920-21 in West Virginia unionizing movements arose out of local initiatives and under district leaderships which in turn sought support for a strike from the miners' national leadership, obtaining it by persuasion or by exhibiting the *fait accompli*, and in one case by threat.

¹ Written during the strike for the Bureau of Industrial Research.

In Pennsylvania in 1922 the relation of the strikers to the union international office was similar to the earlier cases.

"The non-union invitation barely got in under the wire" at the General Policies Committee Meeting of the United Mine Workers at Cleveland the week before the strike. In the two days' conclave of one hundred and twenty officials, the main consideration had been to hold the union districts in line; worry over the non-union production was occasionally expressed and there had been recrimination between the administration and anti-administration elements over "allowing the Kentucky district and the non-union fields to go on working." A few minutes before the gavel fell an administration spokesman, Van Bittner, scrawled on a slip of paper the following resolution which was hastily passed:

That the officers of all Dist. are hereby instructed by this Policy Committee to immediately issue a call to all adjacent non-union fields asking them to join with the union miners in the national strike on April 1st, 1922. Further that all the power and influence of the International union and the District union be exercised to bring about a strike in the non-union coal fields of America.

Bittner said later that some of the officers down near the coke regions, Feeney, Hynes and O'Leary, had been active and wanted support; that Feeney, on his own hook, had had some strike leaflets printed and the group felt that "the international union ought to cover the bills."

At least three sorts of strike calls appeared in the non-union fields. Besides that of District No. 2 in Somerset there was that of William Feeney who had played a great part in the steel strike of 1919; it reminded the workers that they "had nothing to lose but their chains," and was signed "Committee." Independent of both was a third, printed in several forms as devised by board members and organizers who had asked President Lewis if the international officers' names could be put to it. The form distributed in Westmoreland county, read:

UNITED MINE WORKERS OF AMERICA
 Affiliated With
 Pennsylvania State Federation of Labor
 Greensburg, Pa.

.....CALL.....
 TO NON-UNION MINERS
 in Greensburg, Irwin, and Latrobe Fields.

The Union miners in the United States and Canada have decided to cease work March 31, 1922, for the purpose of maintaining the present scale of wages and improving their working conditions. We believe that if the Coal Operators are able to defeat the aims and aspirations of the Union miners of this country, it means further reductions in wages and unimproved working conditions in the non-union fields.

THEREFORE, WE CALL UPON ALL THE NON-UNION MINERS EMPLOYED IN THE MINES OF THIS COUNTRY TO JOIN WITH US AND CEASE WORK MARCH 31, 1922.

John L. Lewis, President,
 Philip Murray, Vice-President,
 William Green, Secretary-Treasurer,
 Frank Hughes, International Representative,
 United Mine Workers of America,
 Barclay Bldg., Greensburg, Pa.

A replica for Fayette county, with the international officers' signatures, was distributed in the coke regions after April 1.

Later on both in the coke regions and in Somerset, in interviews in camp after camp, and in court, many local leaders of the strikes said they saw none of these cards and bills until after their strike began. Of the Windber leaders, for example, Steve Foster testified in the county court, (May 23, 1922) that he "never saw a Penn-Central News until April 5th or 6th; never saw a strike card until the 15th or 16th." Martin Madigan who "signed up about two hundred myself" in Windber on the 6th, testified:

Q. You knew that a strike call has been issued by the U. M. W to take effect April 1st?

A. I didn't know of a strike in Windber till Monday (the 3rd) . . . Never heard of a strike call to non-union men. . .

Never got a paper till the second time they came to Windber (the 9th).

Q. When did you hear a strike call had been issued?

A. I never heard it till the Berwind White went on strike.

Similar statements were made in Central City, Jerome, Listie, Gray, etc. in Somerset; and in Masontown, Filbert and Fairchance in the coke regions. In more places the local leaders had "heard of the literature" or had "heard the union would stand by us."

In West Virginia and Kentucky, it should be noted, where efforts to spread the invitation were impossible or were not made, no unionizing strikes happened.

For Somerset, recognizing the general background of the eve of a national strike against wage reductions in the union fields, and that in central Pennsylvania some union mines posted reductions of 30 per cent to 50 per cent on March 31, and that in belated cases similar reductions were imposed at non-union mines,—the following generalizations seem apparent.

1. *In most towns the men struck first and sent for organizers afterward; or they sent for organizers and began striking as soon as word spread that a meeting had been arranged, with an organizer's presence assured.*

Central towns of groups remote from each other struck on the same days, and the examples spread to other towns nearby during succeeding days or weeks. Across the mountains, the coke regions began striking simultaneously but without any knowledge whatever of what was starting in Somerset. So completely were the two regions isolated from each other that when the two sets of leaders met in July they spent much time enlightening each other as to what had happened and how they had been working. The barest early word from each region, however, reverberated powerfully in the other. Two messages were sped with energy, beginning April 7. In the coke regions the word was "Windber," in Somerset it was "Frick,"

both "down;" each representing the neighbor region's traditionally impregnable citadel.

Near Masontown in the coke region some nine thousand strikers waited three days before the organizers arrived to form them into locals. There were towns in Somerset that waited also. In most cases around northern Somerset so many volunteer messengers flew in so many directions for organizers that at times several of the latter, unknown to each other, would be arriving at the same unpromptu mass meeting.

The towns which "exploded" into complete strike up to April 10, generally had repeated the same process. Beginning a few days before April 1, men who caught through the press or by word of mouth the news of the union invitation and the impending national strike, began meeting in formless groups. Awaiting a visible sign, the distribution of the strike cards and the Penn-Central News was enough for them. Simultaneously the company would commit an overt act, either a wage cut or a display of armed guards. The men's groups would call some kind of meeting, generally at night, resulting in a committee being formed, or a general meeting being called, or even a date set—"everybody go home." Always the signalizing event was "a big meeting," nobody to go to work, and the organizer to pop up.

In these towns the wildest enthusiasm attended the walkout. Skylarking processions would form, and stream out to an open field for the meeting. Slogans, such as "No work tomorrow" at Windber, would be chanted up and down the line. In some places an accordian led the throng. Then the arriving jitney and acclaiming hulla-baloo—"it's the organizers." The climax would be the dead silence surrounding groups of men, hats off, right hands upheld, repeating phrase after phrase, the "obligation" of the United Mine Workers.

"Even a spontaneous strike has to be started by some-

body." The key groups were generally made up of a few older miners, who had worked in union fields and once been members of the union, together with a following of young fellows. All the Somerset mines contained former union men: Gregory, the leader of Jerome, still carried his card of the South Wales Miners Federation, Pontyprid, dated ten years before. Some of the Poles and Slovaks had been union men in central Europe. In every mine were men who had been through strikes before (some entire mines had). Or there were men who had been through strikes as children; this was common. An observer¹ in the coke regions describing the local leaders there notes:

One of them, a lean six-footer who had pulled out an entire mine in the heart of the Connellsville region early in the strike, told me how he came to do it as we sat on the porch of the little office that adjoins the store building. "You see Pap was a striker in the nineties. My people have been miners always. And the Frick people, they turned Pap and Mam out of their house into the road and wet—it was raining when they came to evict them. Mam, she was taken in by the people next door. She had a baby born in the cellar a few hours later. I was two years old then. You can bet I pulled the mine I work in. We don't forget. It's a Frick mine. So's the one my brother works in. That's down too. He was the baby."

The young key men were all important. Perhaps they are best understood through Stiles' analysis: "Three things organized Somerset. First, the High School; boys and girls were really learning about the world; particularly they were learning to ask their dads why they couldn't have good furniture and decent clothes and pianos, same as other people had. Second, the *war*; it took all the boys out of their ruts; showed them what men in a mass meant, taught them teamwork. In Windber alone there were three hundred and sixty young veterans. Third, *prohibition*; the men were sober when idle, understood what

¹ By Paul Kellogg. "The Week-end in Connellsville." *Survey*. April 22, 1922.

was said to them, thought things over and had no ready relief in a drunk."

The remark of an operator of Somerset shows agreement with the last reason. "We always used to know what was going on through the saloon. The bar-keeper or our spotters would report who were the leaders; we'd get rid of them or start a brawl easily. With no saloon they met elsewhere and we never knew what went on and couldn't spot the leaders."

In a few places letters went out from lone ex-union men in the camps to union officers. Their message was completely put in the following, written by a man who in September became checkweighman of the local, under a union agreement.

Tire Hill, Pa.
Kelso

Mr. Brophy

Dear Sir:

The majority of the miners at Kelso would like to come out on strike in sympathy with the rest of the miners. It is not right that we should be working and helping to take bread out of other children's mouths.

Mr. Brophy we fully realize what the outcome will be if the U.M.W. loses this strike. We are tired of loading 2 tons of coal for 1 ton. Send two organizers out here or come yourself and hold a mass meeting. If your organizers come tell them not to leave till every man is out. Have them out here on Saturday morning at 6:00 promptly. A township road goes right through Kelso, you could post one on it and one on the state road to get the slope men. A lot of men come in cars. There is three other mines working here beside Kelso, Lochrie's and Cook's. Mr. Brophy it is not right that we should be working and you people fighting our battles and I for one don't believe in it. They have what they call men here on duty, I call them dogs not men. They are hurting their own children and ours as well by accepting such jobs to keep wages down.

Yours truly,
A true friend and sympathizer.

When the organizer arrived in these towns he found the local leaders had already provided for the first requirements of the situation, mainly a place to meet and

means of notifying the prospective audience. Except for some Croatian, Slovak or Polish benefit society buildings, the few halls in these mining towns were owned by the coal companies. A private lot or a field owned by a farmer who was once a miner, the organizer would learn, had been obtained. The local leaders had jitneys ready and men to telephone to other waiting men the messages of the meeting. Sometimes committees had already been formed to "watch the cops" or to "chase spotters" and to warn if the coal and iron police and other armed guards seemed to be assembling to attack. There were cases of committees to collect relief before any union official was on the ground. "Tom's with us, he'll strike, but his family hasn't a cent. Tom was hurt and in hospital for three months." The first act was to pass the hat and name a committee to take the money to Tom's woman.

There were cases where committees, before any organizer was near, had been in conference with bosses or the super; and other committees were telling off the maintenance men who were to be allowed to man the pumps and keep up the mine during the strike.

Invariably the organizers built on the local initiatives. They imported no officers or heads. "This is you men's strike. You run it." A first question was frequently, how much are the union dues? "You set the initiation fee to suit yourself" the organizers answered. "Over at ——— they made it 50 cents." Fifty cents became the custom in Somerset. The strikers were told to elect their own officers, appoint their own committees, arrange their own meetings; the union headquarters at Cresson or Johnstown would supply the speakers.

Dozen of "duties" in these self-acting communities were arranged for without an organizer near. Men were told to explain things to a priest "because he'll be for us" or to "see" another clergyman "because he's telling the Hungarians not to strike." Even isolated "foreigner"

coal camps in this era are not completely unpractised in fending for themselves.

"Community" is quite completely a misnomer for non-union mining camps (and almost for many union towns). The towns are visibly split along racial lines; there are generally "American" and "foreigner" sections and in the latter "hunky" streets, or "wop" or "slavish." The nationality classification of the Berwind-White mines in 1922 showed twenty-two separate "languages." Racial divisions admittedly were fostered by the coal companies; "it keeps the men from getting together;" or as a miner at Jerome complained, "there's no sociability in a non-union town." At Jerome the Welsh leader of the "Americans," the leader of the Polish section and the leader of the Italians never met or discovered each other's existence until the morning at the shaft head when all went on strike. Normally suspicion between the racial groups is the non-union rule; the "Johnny bulls" accuse the "hunkies" of being the company's natural born "suckers" or "spotters" and the foreigners fervently believe the same of the Americans; suspicious expectancy might describe the conglomerate feeling of these camps as the strike spirit rose. The strikes revealed the self-acting towns as full of self-acting separate groups.

Any "agitation" has an effect in mining towns which is almost inconceivable to city-bred outsiders. The isolation of the camp, the isolations within the camp and the isolations from each other of men at work underground compose a stilly life where any yell reverberates bewilderingly. Everywhere miners work by twos. In union mines an experienced superintendent said: "When I come across more than two of my men talking together inside the mine I know one of two things has happened: an accident or labor trouble." In non-union Somerset the sudden appearance of an unusual number of guards, the beating up or noisy deportation of a suspected worker, the

tooting passage through town of a jitney of organizers, might each rock the community. Experienced organizers trade on this fact: one,¹ a white haired aldermanic figure, got into Wehrum in the first days of April and remarked loudly that he was "come to organize the town." Promptly "arrested" and propelled into the company office he made all the fuss he could; and all afternoon miners dropped in to "see the super" on a dozen different excuses but really to gaze at the prisoner, see what an organizer looked like. By the time he was released his cause had been sufficiently advertised and Wehrum was so "agitated" that it struck the next day. Parades of strikers are dreaded above all things by mine managers and the effect of mass meetings may be overwhelming.

Through court testimony and interviews the Windber revolt can be followed with unusual detail. At the May 23 hearing before Judge Berkey the Berwind-White attorneys tried to prove a conspiracy; the hearing proved the opposite so publicly that thereafter the company took to laying the blame solely on their wage cut. Most of non-union Somerset had, along with the coke regions, West Virginia, etc., cut wages twice, or three times, during the "deflation" period of 1921 but the Berwind-White Co. made the double blunder of imposing their wage cut on April 1, 1922, and of not admitting it until April 3rd or 4th. The rumor, confirmed, that the men were already working under a wage cut, was the powerful "agitation" for which the company was responsible. "While we shouted 'rise' the company set off a fire cracker under 'em," a local leader put it. Other Somerset companies attributed all their troubles to "the damn foolishness of the Berwinds' eastern offices" in starting a wage cut on April 1.

Court testimony brought out that neither the Berwind's general manager nor President Brophy of the district union knew exactly when the Windber strike started;

¹ This was board member William Broad.

that after the attempt to distribute cards on March 31, no literature or organizers entered Windber until the walk-out had begun. The company rested its charges—conspiracy, intimidation, and dynamiting—on the testimony of six or seven workers who had already quit the strike. One, Albert Langley, testified that on April 1 a union secretary from Portage had asked him to get fifteen signatures to a letter “and he would see that a charter was sent in.” (Fifteen members is the United Mine Workers minimum for granting a charter to a local.) It came out that this missive, on the letterhead of David Cowan, of District No. 2, was by the Portage secretary on a verbal authorization to “write some kind of letters.”

One Julius Conrad testified for the company:

Some person ask me to join the union and I said I will after I work this week out. I work till the 8th and on the 10th I follow the crowd and go to meetings. . . There was an Italian fellow I never saw him before. He said you join the union. I said I came down to the meeting the first time. He told me, he said, you better join the union. So he puts me in and I sign my name down and asks me, the fellow that holds the book, when my name was signed down, he asked me for fifty cents.

He had returned to work after one month.

One John Kushok testified that a stone had been thrown at him.

Q. Was it any of the organizers? A. They were all organizers.

Q. How do you know? A. Because they were all union men.

One company witness accused Vice-president Mark of advocating violence at a meeting; but it developed that Mark first arrived in Windber on April 11 and was not at the meeting.

Charles Vorosky testified that he would not join:

I was afraid. I see the strike in 1906 and I think it would be the same thing now. (Three persons were killed in the 1906 Windber strike.)

A mine guard from McKeesport, a deputy sheriff and others testified to whistling, congregating, one man's ear

pulled, a stone through a window and anonymous letters, as intimidating acts. Stiney Dembinski got a letter and then his porch was dynamited. Police bloodhounds were put on the trail and ended up in the middle of the street in Windber, in front of houses occupied by the Berwinds' company store manager, a mine foreman and an assistant foreman.

The ringleaders of the strike were cross-examined. Young Steve Foster, spragger for two years at No. 36 mine, rehearsed the meeting on Wednesday evening, April 5th, of three hundred motormen and their buddies, (the town's athletes) which Mr. Booker invaded "and our fellows said they did not want to settle, they want union, what they wanted was union;" how a meeting was arranged for the next day and a committee was appointed to go to Nanty Glo that night, where they found Steve's brother Joe and the organizers. He had talked with Joe a few minutes six months before and Joe "thought they couldn't be organized" and Steve thought they could; no letters between them since then.

James Gibson, digger at No. 36, had been another "committee" to go to South Fork, on the morning of the 6th. "I went to the local union headquarters and asked for someone there and they said no, then I met a fellow by the name of Bossart¹ and he said Cowan was coming to speak at that meeting." He had seen no literature and knew of no invitation to non-union men; the newspapers had it "about the operators and the miners had no agreement and the only way out was to lay down their tools on April 1st. . . You could do nothing else."

Spragger Madigan on the stand:

Q. Now did the employees of the Berwind-White go to work on the morning of the sixth?

A. Yes sir, them that didn't get fired before they got out of their doors.

¹ George Bassett.

Madigan was a bit reluctant to be publicly blacklisted as the first, "the" ringleader:

Q. Whom did you first talk to about calling in an organizer?

A. Well this took place on Wednesday night.

Q. Whom did you first talk to about bringing in an organizer?

A. I didn't go to the meeting first.

Q. I asked with whom you talked about it.

A. James Murray . . . he took charge of that meeting that night that I talked to him.

(Jim Murray did not testify. He and Steve Foster drove the first motor into No. 36 on that morning of April 6th and by sudden agreement derailed it. "We wouldn't work for no \$5; no cut. Let's quit." They did not even say "strike." The haulage way blocked, they met the first man-trip, the word "strike" arose and out came the men. Jim Murray was a star of the local ball team, a nephew of the coal operator James Lochrie, and was trying to pay for an automobile. Mr. Lochrie paid for the car and Jim quit the strike; he was killed shortly by his motor in the mines.)

Davie Cowan, United Mine Workers Board Member from Portage, had been "at a ball game in Windber two years before" and testified that "there was men from Windber had sent word over to Portage." He "did not pay much attention to that" until he got a call from Welsh, a fellow board member whose jurisdiction did not concern Windber; then he went with Stiles and "a Polish fellow from Portage I don't recall his name." At the big meeting "I sworn in the officers of that local union that day in order to send after a charter and they gave me \$15, that is what it cost to get a charter, and they took in I presume \$500 or \$600."—As to the men who had accompanied him on the literature distribution, "I don't know if you could call them organizers. I picked them up in the mines at Portage."

The court records here have the picture; but one essential is omitted—the energetic actions of the company between April 1 and 6: the “arrest” of Cowan, Romese and four others of the card distributors: the immediate placarding of all Windber with a proclamation forbidding any assemblies, signed B. B. Barefoot, Burgess of Windber;¹ the sudden installation of increased guards and a detail of the state constabulary: and the sporadic discharge of suspected employees on Wednesday and Thursday. In a situation where the men themselves could not have compiled a list of all the “ringleaders,” discharges were quite futile.

The truth is that the Berwind “trouble” began with a hundred different knots of men.² The same was true of most of the other companies’ towns as countless interviews proved.

The question was put on a number of occasions whether the District No. 2 officers had planted union organizers in the towns that burst on strike or seeded Somerset with union miners. That has been done occasionally in organizing campaigns in the past. It was not done in the Somerset field. The district had long regarded the organization of Somerset as too big a job for any force less than the international union; at the last national convention District No. 2 had again called on the international to undertake it. The action of the policies committee in adopting the invitation on March 23 was unquestionably a surprise to the district. It is an open secret that in March most of the officers of districts in the soft coal fields believed the national strike could not be won; they believed the outcome would be a case of “saving what could be kept of the organization.” Coal trade journals were confidently predicting that the union

¹ Burgess (or Mayor) Barefoot also held a job in the main office of the Berwind-White Coal Co.

² The isolated Berwind operation at Houtzdale, away off in Clearfield Co., stopped almost altogether on April 1, because its workers were largely from the all-union vicinity.

would be smashed out of entire districts. There was no thought of taking the offensive; slack work for a year in District No. 2 had left the miners hard hit; the district treasury was poor. Despite an underlying belief that the non-union neighbors "would strike if they ever got half a chance" the district officers "spent a few thousand dollars to get the invitation over" with some misgivings about the soundness of the appropriation. In the lull after the distribution of the cards, the district president and vice-president went to Washington to urge on Congress a national fact-finding agency for the coal industry.

The first word that Berwind mines were actually beginning to strike reached the union leaders at Cresson by way of railroad conductors on the South Fork Branch. For days, indeed for weeks, the hallmark of headquarters was surprised delight. "If anybody had told me leaving the house four weeks ago that I wouldn't be home all this time because of a strike in Somerset, I'd said they were crazy."—"Me too. I've had to be buying shirts and shoes and a razor."—"Well, I always said those boys would strike."

In the coke region there were published definite stories of union men seeded in non-union mines through a purposeful organizing policy; there were men who, with knowing winks, intimated they'd had a hand in it. The stories were laughed at by the local leaders in Fayette and denied by the responsible union organizers. There was no need for it; the region was full of miners attracted in 1921 from the bordering union fields by the steadier work in the coke mines. International organizer Feeney, reared in the coke region as were other neighboring union officials, knew some of these former union men, particularly at the Rainey mines. In 1921 the Rainey interests cut wages twice, the Frick mines each time following suit; in August when the Rainey managers tried it a third time, (bringing the mule drivers rate, for example, down to

\$3.85 per day) their miners struck and began telegraphing to President Lewis at Indianapolis. At the same time messengers fetched Feeney to their meeting; they told him they wanted to get back their \$5.05 rate. He told them the organization stood for nothing less than \$7.50 a day, "talked to them like a dutch uncle" and refused to organize them, "had no authority." He got the names of the active spirits and in the month before the April strike met them secretly, had them fetch in their friends, and when the international's non-union invitation authorized it, had them distribute his strike bills. Other energetic officers, some of other trades, were doing the same thing. On April 1 Feeney and his colleagues were disappointed that only about five thousand turned out for their advertised parade at Brownsville; but off in scores of towns the men were quitting and by Monday were holding their own meetings. Stories that "Feeney fooled the operators by letting the men work on Monday and pulling them on Tuesday" were laughed at by the strikers themselves. Helped by countless spontaneous activities, unionism in the coke regions broke bounds; the organizers, official and volunteer, labored to meet the calls; in a shorter time than ever in the union's history since 1902, there had been organized eighty-two locals of some thirty-five thousand members.

In Somerset "the first thing to say about the organizing campaign is how little of it there was, or needed to be, at the very start;" such was the considered judgment of a critical observer. There can be no question of it for the first wave of the strike; the later waves, beating around the slower-moving camps, revealed more clearly, as we shall see, those definite obstacles which the strike spirit had overwhelmed in the "exploding" towns.

2. *Volunteer, self-appointed organizers, looking to no one for orders, hiking on their own, far outnumbered the union official organizers during the first weeks.*

"There was a spontaneity in organizing to match the spontaneity in being organized." This affected not only individuals but towns. Throughout most of the widely sprawled District No. 2 the national strike began in peace and continued in dead monotony. In the union towns bordering the non-union fields the first news from Somerset stirred the communities as nothing had since war days. Democracy there went on a rampage as self-suprising as were the revolutionary movements in Windber.

Cresson got a new lease of life when President Brophy moved district headquarters into it.

Portage, an energetically union town, under Davie Cowan, with five United Mine Workers locals,—including the Spring Hill local "which has more money for all good causes than any other in the district," swore Cowan—went wild over Somerset. Twenty of the card distributors came from Portage and Cowan later offered Brophy two hundred volunteers to send down to Boswell when that region began to crack. The offer was refused but dozens of Portage boys went organizing anyway. At the cooperative headquarters in Portage, storekeeper McDonald kept a strike bulletin posted; it attracted the crowds which a baseball score board usually gets.

Nanty Glo, once a powerful union town, later torn by union factions, found reunion, rejuvenation and indignation in the upheavals in the nearby non-union Black Lick. When mine guards around Vintondale and Colver were harrying strikers or organizers Nanty Glo flew to the rescue. Big mass meetings were arranged in Nanty Glo for the strikers of Revloc. The burgess and his miner-townsmen sang the praises of their freedom compared to the non-union fortified camps. A. E. F. veterans in Nanty Glo were anxious to "clean up" the Black Lick.

South Fork, the whole traditionally-conservative town, rose up to be hosts to the new strikers marching from St. Michael's of an afternoon on that April 4. They ar-

ranged a meeting in their fine park, with Swartzentruber and Brewer, the local officers, chairing it and Bassett of the miners telling the St. Michael's men it was a braver thing for them to strike than for the union town. Bassett spoke at big meetings in Windber along with other leaders who a few months before at the District Convention argued that organizing the non-union fields was no work for anything less than the international.

At Gallitzin, whence the most active union men, Kerr and McCloskey, had sped in jitneys rounding up all the little mines on the Buckhorn Road, petitions later went forth signed by the whole town denouncing the repressions attempted by the authorities in Cambria County's striking camps. Garrett, one of the few older union towns almost submerged in southern Somerset, for weeks discharged unionizing missionaries a-foot and a-car into the surrounding Consolidation bailiwicks. Miners in union towns who intended to spend their strike fishing, went fishing in arid Somerset, happening into camps where Jim, a cousin, or Bill, a former buddy, might be contemplating joining a strike.

The district rushed to battle; ultimately it shouldered almost alone the financial burden of a contest which it had long refused to enter deliberately as too heavy for its resources. During the strike the district reaped one reward: the surprising upheaval of Somerset reacted on the impoverished and unconfident union membership and had something to do with their, in turn unexpected, endurance of the long drawn out national strike. The new-union strike, they loudly hoped, ensured their victory.

Earlier than the community manifestations, and ten times more numerous, were the examples of individuals inside the Somerset towns who turned organizer for the period. Wherever a union official entered, in the first fortnight, he found miners and groups of miners who had been hiking about in neighboring towns or who had slip-

ped into this camp to help "get 'em all out." Wherever observers trailed the strike they found young enthusiasts, who a week earlier had been driving a mule or a motor or handling sprag or pick, now contesting for the credit of being the "first man out" in one mine or the "first to get inside" at another camp which promptly struck; generally there were six to a dozen claimants for the one honor.

It is nothing new in industrial history to find mass strikers possessed of a proselyting spirit. Especially among miners for a hundred years it has been a habit of strikers to start marches through nearby towns, that might join. Distances between camps in Somerset mostly prevented marches but individuals tore about the county, until in the more heavily guarded, hesitant towns a stranger in miners' clothes was looked on with sharper suspicion and deported faster than a white-collar organizer. "It's these damn strikers running around," was a constable's verdict. Youths "innocently" asking for jobs in the Boswell district, still untouched in the second week of April, were fired out of camp if they owned up to coming from Windber. When Boswell struck, thirty residents whose work was in the nearby Acosta mines, were that day turned back by the Acosta super; "they might have contaminated our men," he explained in court.

The union officials were quick to encourage the amateurs, often with public credit. Sometimes the credit was exceptionally deserved.

For example, "the heroes of Jesse Hill," young McKeon, a war veteran, and his buddy, Joe Yetsko, miners from a union town, were fired off the premises by Superintendent Brennan; returning before daybreak the boys slipped into the mine and began buttonholing the men underground. Guards came chasing them aboard a mine-motor and shooting at them in the light of the motor headlight.

They ducked; kept at it until they had intercepted every man at the junction. McKeon sauntering out ran into the super who cried: "Back again, are you?"

"I drop around."

"Most got hit, didn't you."

"I've been closer to it than that."

"This is going to cost you pretty big. And you'll never get my men out."

"That so?" asked McKeon and pointed to the drift mouth; the men were pouring out on strike.

"Risky business," observed a high union official to whom they were introduced and reported their exploit. "No question but you were trespassing on private property. If you'd been hit—well, a body left in old workings in a mine is not found." Like dozens of cases this was news to the union official; the writer looked up for him the correct name of the mine, "Jasahill" and its exact location.

The heavily guarded town of Jerome (Hillman Coal & Coke Co.) for a fortnight was a hotbed of self-set activities by old union miners; one was Gregory, he of the South Wales Miners' Federation, fervent churchman, county detective of bootleggers, and cousin to Gullick, a union officer farther west who in those same days was helping organize the coke regions. Toward the end of March the company had suddenly increased its guards; Gregory found them beating up and deporting an Italian visitor to the town whose looks they did not like and he startled the company by protesting. He started to hunt up his cousin; the watchful super spotted him and asked such searching questions that Gregory dared not take the street car. On the 13th a messenger got to Johnstown and telephoned Brophy at Cresson. With a few friends, like Ramsell, Gregory decided to see if "the mine could be pulled Good Friday morning if the foreigners were as restless as some said they were."

And there was Viscosky. On April 1 he asked the company for a job as miner; they offered him work as an additional special watchman to spot any unionizing spirits, "at \$15 a day" (that was always emphasized in the telling). He used his very special opportunity of circulating among the employees to line them up for the strike. The only man whom he reported to the company was one who refused to have anything to do with "union;" the company faithfully discharged that one. Viscosky was an exception to most of these local mainsprings of strikes; he had been an I.W.W.; he had hurried back to Jerome from Pittsburgh (where he had been saving up money to go to school) on the chance of "starting something." Incidentally, the strike relief ultimately got his school money.

And there was an energetic, gentle-faced Italian boy, Di Giacomo, a miner. He, Viscosky and Gregory discovered each other Good Friday morning, at the shaft head, where first a few, then a considerable group of miners waited dressed to go to work but saying "no, not yet" as the super walked among them asking if they weren't ready to board the man-trip. The super began a conciliatory speech of promises of good treatment. "What's the good of that? We've heard that bull for ten years," cried Gregory, to the amazement of the foreign-speaking sections: ("a Johnny bull sassing the super.") Then the latter threatened: "If you don't go to work, I'll shut down this mine till the grass grows over the drift mouth." It was Di Giacomo who shouted, "I'll eat that grass before I'll scab," and hurled away his jelly-bucket. The epigram and gesture touched off the strike, the men wildly marched through the town, —somehow an accordion found its way to their head— and at noon when the organizer arrived he found the mass-meeting community still too madly enthusiastic to settle down to speech-hearing. The best speech was by Gregory; "The Good Book says, 'Quit you like men.'

And you did quit. If God be for us who can be against us." As the meeting ended, Steve Foster and an Italian, two of the self-appointed leaders at Windber, came driving into town; a union official, Stan Murawski, footed it in a little later, the two Windber boys having refused to pick him up, "because he looked like a bull." When the organizers left that afternoon Di Giacomo, with his suitcase, asked a ride; he said he was bound for Colver, a famously guarded town, far to the north in Cambria Co. where his brother worked; long after, in July, Colver came on strike. Other Jerome men were saying, "I'm going to Acosta;—we'll get Hyasota to-morrow." And that same evening the unresting Viscoski footed it to Jenner, (Consolidation Coal Co.) which was still working, "to see his sister." Arrested by the guards, he convinced the super that he didn't come from Jerome, that he'd been working in Pittsburgh, that he wasn't a miner at all and extracted a written permit to visit the sister "for five minutes," accompanied by the guard. "Give us a drink" was his greeting to his sister; make one big and bad, he added in Polish slang, the other small and of good liquor. The bad ones (there were eight rounds) rapidly went to the guard's head, leaving the wily Polander to slip around to hunt up men whose names the sister and brother-in-law had just given him. Before another guard spotted and deported him he had found ten and arranged for a small meeting. This was the meeting to which Mark sent three pairs of organizers, the last Davie Cowan, reaching them toward nine o'clock when most had gone home to bed. Monday, though, the whole place struck.

Pete Unger, of Boswell, the roperider in a mine at Harrison whom a surprised boss found organizing the men downshaft on April 1, Tierpak and his buddy Dill, age seventeen, were part of a long list of the "Fords with self-starters," as one observer termed the tramping youths he stumbled over in Somerset. The organizers encouraged them; the published audit of the union's

"miscellaneous expenditures" lists one hundred and fifty such volunteers who were reimbursed trifling sums. But mostly their names went unrecorded. In court the operators' lawyers would cast in Brophy's teeth lists of names of ringleaders and not a name known to him: "I might know some of the faces." Their characteristic as a class was that they looked to no one for orders.

Among them the tenacious ones were oftenest the immigrants; at Central City for example. There the employees of the Reitz and Lochrie interests began striking on April 3rd, Cairnbrook following on the 4th and both organized on the sixth by the speakers who came on from Windber. Two young day men, Zimmerman and Kane, started it; (and in two months had gone back to the mine, as guards.) The local's president was Miles Banta (or Rodgerwick) who had "learned union" from non-union managers. "In 1914 I worked a Consol mine, Jenkins, Ky. I see guard stop negro trying to leave camp. Negro said 'This is a free country' and guard shot him dead. In 1921 I work Holden, Logan County, West Va. Island Creek Coal Co. Load three-ton cars for 76 cents a *car*; union scale was 64 cents a *ton*; and I see that coal sell at Eddystone, O. for \$9. I work three months; then a Don Chafin deputy come to house, say I'm agitator, get out, evict, read me warrant. I read it; no warrant at all. He come back with eighteen gunmen and super; I say, 'Can't go. My wife going to have baby.' They pull guns; I say, 'Kill me; my boy will remember what his father die for.' Super send them away and give me card to job in Sharpless; they take all my furniture; I walk eighteen miles to Sharpless." At Windber he found things bad; to get a job at Central City he'd had to change his name. In May 1923 he was still leading the strike at Central City.

Volunteers under orders and made special organizers by the union formed another class. Such were Stiles, Romese, manager of the cooperative store at Cresson,

a young socialist with a debating mind and a fiery spirit. An A. E. F. veteran, with wound stripes, he could answer the threats of Burgess B. B. Barefoot at Windber "Uncle Sam taught me to kill scientifically." He had been one of the group of young fellows who had asked Stiles to lead them in a socialist study class (Stiles put them through Grote's "Greece" and Gibbon's "Rome" for background). John Brezezina was another; that "Polish fellow from Portage" whose name Cowan could not recall, his companion at the first meeting in Windber. Brezezina had worked in Windber; "load forty-two cars one day, get seven ton eleven hundredweight for it; when I kick, told 'gettahellout.'" Then he had been a drug salesman all through Somerset. He was a solid citizen, officer of the Polish National Alliance, a witty talker and he flew to the Windber calls as to a long-awaited chance. Pete Mallon was another commissioned by the union, a tough old miner, not always sober, who had been blacklisted all over the district, partly for his uncertain temperament, partly for having served occasionally as an organizer in times past. Another was Stan Murawski, of Moran, near Janesville, a socialist and a good Catholic, friend of a radical union priest; an old antagonist of mine guards. Joe Foster, the big, frank, slow-spoken Hungarian from Nanty Glo, summoned back to his native Windber by his brother Steve, had been set to organizing jobs before, notably during the steel strike. Inside Somerset, the union discovered in one of the volunteer mercuries a Hungarian who had organized for other unions, Frank Papp, of Seward, well read and biting in his addresses. George Boytim was an eloquent foreign-language orator. And all this takes no account of John and Charles Ghizzoni, William Welsh, Broad, Carletti, Fazio, Donaldson, Yusko, Ferrara, Slifco, Mayholz, Madoni, Soltis, Houck, McCrory, —union officials, taking the stump again; mostly tried war horses, like Welsh, a strategist of twenty years' experience; some green, like Donaldson, who stepped off

the box at Windber shaking: "I never tried to talk to two thousand before; I just wanted them to understand they ought to have a right to see their coal weighted, same as they see their meat weighted at the butcher's."

Finally there was Hapgood, a new kind of volunteer, who in the end became the backbone of the leadership in mid-Somerset. Harvard graduate (and disliking the description), nephew of a minister to Denmark (and hating that term worse), he was working as a Lithuanian miner's helper in an anthracite shaft near Wilkes-Barre when he wired volunteering to help organize in the Somerset camps where he had worked¹ as a miner in 1921; Brophy accepted him about April 7. Twenty-two years old, his face recalled old portraits of Keats and young Schubert; and he liked mining. He looked like an aristocrat and acted like a proletarian; and liked it. The rank-and-file were natural law to him.

As to the higher leadership, here is a very friendly estimate.²

The District President is a young man, Lancashire Irish, elected from the ranks six years ago; a radical (an operator told me that he was "one of the worst Socialists in the United States") but of the sort whose favorite words are "program" and "plan" and "thought out beforehand;" a man with an open, scholarly mind, curiously scholarly. . . He is best known as the chairman of the union's Nationalization Research Committee. . . His two chief advisers in the field, who were also his chief backers in his first election,³ were the Vice-President, James Mark, and T. D. Stiles. Mark is an older man, the father of ten handsome children, a patient Scotchman closest of the three to the rank and file, with a long record of controversies with the biggest company in the region. . . Stiles is a ruddy-faced Englishman with prematurely white hair, who was already doing two man-size jobs for the union as head of a soundly-planned co-operative movement and as editor of the Penn-Central News and who became in the campaign the clearest and most incisive of the union's stump speakers. . . No wonder that,—“We'll get that one-eyed ——— of a ———!” is said to have been something of a slogan among the mine guards.

¹ See his "In Non-Union Mines; the Diary of a Coal Digger."

² Goodrich's.

³ David Irvine was Brophy's chief backer; later Brophy broke with him.

But April was the month of the volunteer with a self-starter. "‘Heaven couldn’t be any pleasanter for Dave Cowan, Pete Mallon and that fellow from Jerome than running around pulling men out on strike.’ The significance of this survey by the cynical Dick Gilbert, Secretary of District No. 2, away off in Clearfield was that his remark referred to one of the regular union force, to one volunteer from an old union town and to one of the new strikers."

The third generalization that has to be made, and the most significant, is this:

3. *The aim of the strikers was immediate and unmistakable: union. "Me strike for union." The men acted when assured of "union support."*

Hitting the greatest common denominator of men's minds in mass actions is none too certain a business. Specific proofs here are not so important though they can be listed: when the wage cuts were rescinded the men still stayed on strike; offers by Somerset bosses to meet all the union demands except union recognition failed to break the strike; the discharge by a few superintendents of almost all their useless mine guards made no difference. The pervading, rather inarticulate, mass feeling overshadowed these specific arguments and fused the jargoning over checkweigh, deadwork, timbering, cars, yardage and supplies. You felt: these people know what they want; they want union, their own. The national strike in the union fields dramatized that objective; but the United Mine Workers, a thing of which they knew something, you felt they sensed mainly as support, outside support for their own union. "We run ourselves."—"Every man is union in his heart." These remarks by Somerset strikers seemed to hit nearest the common denominator.

The general manager for the Berwinds walking to the men's impromptu pre-strike meeting and asking "What do you want? Tell me what I can give you,"

and being told "We want organizers;" a partner of the Lochrie-Price interests going to his men's first meeting and arguing their instant demand for a union thus: "You ask me where the miner would be today if it wasn't for the union. I'll give you a frank answer. He'd be in chains. But where would the country be without the non-union mines?"—episodes of this sort, (there were many) were of a really revealing nature. Extraordinarily footling answers to the question "why," reward the inquirer in most strikes. Bosses quote the commonest replies made to them by new strikers as follows: "Me strike 'cause everybody at home." Or "Me fraid to work; everybody not like it;"—the usual self-protecting replies of men who know there is no use arguing with the boss the accomplished fact and who don't want to be blacklisted for being ringleaders. Other specific explanations: "Too much take-down" (wage cut).—"Robbed on our tonnage."—"No money left: company store get it all."—"The boss, he say sonoffabitch, for nothing."—"These companies never had anything to stop them, so they took all they could: little things like humps on the cars or a few hours unpaid work, all the time, and periodically, a big thing like the general wage cut."—All such remarks, of more or less general truth, lacked adequacy in explaining why whole communities should go wildly shouting, grinning with joy, on strike; and thousands stay on strike for over a year. A common outburst for something commonly denied—a union: this fact lay in and around all the explanations and overshadowed any one.

Officers in France in 1918 who questioned the grinning gabbling groups and herds of newly-taken prisoners always met a score of explanations as to why the man surrendered; he thought he was cut off, or shells were all around, or the war was lost, or the food gave out, or his lieutenant had been riding him, or his government was a liar, or the Americans promised fair

treatment, or folks back home said "Germany was gone kaput, he should save himself:—" and none of these explanations told half so much as the prisoners' general attitude of tremendous relief over having "got out of the war." Likewise through all the explaining among the Somerset strikers one sensed unmistakably a main fact: a common outburst toward something commonly denied—union.

The fact is the union had been in Somerset all along. It was there as an unembodied force; for years its shadow like a mountain's kept falling across Somerset. The non-union operators moved always with a weather eye on District No. 2. Politicians who headed farmer or citizen revolts against the coal companies—once in the county and once in Windber—usually sent out secretly to get the absent union's endorsement. Most of all the miners knew they worked in "scab mines." In the past many had gone on local strikes, sending to Clearfield for organizers or to Indianapolis for charters. The union organizer in 1922 was not the prophet of a new religion.

A proportion of the non-union men knew precisely what they wanted; knew what a United Mine Worker charter looked like; knew like so many debating points the favorable characteristics of the United Mine Workers, the union's past failures and present internal politics. Not a few knew "mine workers' politics" so well that they had pronounced ideas about the union's districts and struck the quicker because it was District No. 2 they would join. Westmoreland County was border territory; doubts existed whether it belonged under District No. 2's jurisdiction, or to District No. 5 (Pittsburgh) or to a legendary District No. 3, supposed to have survived there after the loss of the old-time Westmoreland strike. When board members Ferrara and Broad and the Ghizzoni brothers in mid-April began answering calls to District No. 2 for organizers for

New Derry, Bradenville, and Brenizer and a string of towns in northeastern Westmoreland, the strikers there expressed strong opinions when men, professing to "represent Nelson and Hughes" (organizers "stationed" by the international for many years in Westmoreland) rose in the mass meetings and "claimed the local for the international." District No. 2 turned over Bradenville as requested, but New Derry and Brenizer flatly refused to quit District No. 2. (In September a great point was made of the fact that two of the towns got strike-relief and the third did not.)

Of the mass of non-unionists the organizers everywhere later complained that "these men don't know anything about the mine workers, we've got to teach them how this great organization was built up and they've got to obey the rules." The common conception of the mass desire at the start, was a mixture of two things: union, as a local possession of the workers, about which the bosses had nothing to say; and union, as a large established outside thing which "stood by you." The picture of the first,—the local possession,—was more vivid to them than the frame, the second. They were setting up a town meeting, rather than joining a nation.

The upheaval struck at the essential difference between union and non-union fields, between the shared-control of the one and the unshared-control of the other. There need be no disagreement on such a definition. Telescoping for the moment the interminable arguments over relative wages, conditions, annual earnings, houses, stores, civil rights, etc.—everywhere in union and non-union fields greatly modified by the age of the mine, thickness of the seam, transportation, size of the company, quality of management, quality of union, etc.—there remains this commonplace: that in union fields the collective force of ownership and management has to reckon with another collective force while in non-union fields there is no collective force among the

workers to dispute the control of mine and camp. The unshared-control made Somerset upheave; the upheavers talked first and foremost of mine-guards, company stores, company houses, no checkweighman, no committees, arrests without warrant, discharges without recourse. The alternative to these things they called democracy: and in the mine striker's mind that word is frequently as vague as in the minds of other democrats. "Every man is union in his heart."—"We run ourselves." Such vague phrases have to be assayed as the hardest of the facts which explain Somerset.

The fourth general characterization of the movement would be:

4. *Towns which hesitated did so because of fear of company guards; lost strikes; and doubts about the international union's support.*

The outstanding visible characteristic of the towns, as they went on strike was armed terrorism and wholesale repression. The reality of the townpeople's fears was equally visible. They were afraid to stand on the street near a stranger, let alone to answer your questions; restaurants were afraid to serve meals to strangers; a waitress in Windber backed half way across the room in terror when a visiting student¹ asked what was going on in town; and scuttled away to consult in agitated whispers with the only other person present, another waitress.

The apparatus of terrorism was partly paraded, partly concealed, both to heighten its effectiveness. On the one hand gunmen, in or out of uniform, walked along handling their weapons, suggestively flaunting their authority; sometimes successive auto loads of them would career through the streets with a pandemonium of horns; some of the towns displayed searchlights, Vintondale had six. On the other hand, eviction notices or arrests would

¹ Goodrich.

light on the heads of men a few hours after a conference which they had thought was secret.

Pennsylvania normalcy provides a triplicate system of industrial policing: (a) the State Constabulary, of which there were several groups in this region; (b) the Coal and Iron Police, enrolled by the state and paid by the coal and steel companies, together with railroad private police, from half a dozen to several score in each town; (c) Sheriff's Deputies, including many of the Coal and Iron, and local constables, with others named by the coal companies. Late in the summer was added the emergency force of the state's militia. Compared with Ohio, Pennsylvania is heavily over-policed; labor asserts the cause is the state's non-union industries,—steel, oil, part of coal and certain anti-union railroads. Admittedly this normal policing affords scope for extraordinary expansions in strike times, with extraordinarily indefinite relations, as to authority, between the different kinds. All sorts, and almost any number, of guards or constables or deputies can be "enrolled" or "badged" or "deputized," in every case armed, and privately paid, and no one certain as to their authority. Sheriff Griffith "didn't know what authority he had over the mine guards" in Somerset; he said he would ask the court.

Of the three hundred and forty-eight listed on Sheriff Griffith's books as having been deputized by May 18, more than half had been put on immediately after April 9: then for nearly a week no more big mines came on strike.

In a letter sent to operators by the head of the state constabulary, the miners saw what they termed "the usual Pennsylvania fashion" of wielding all this policing against any strike. "From a copy of a secret and confidential letter¹ sent to coal operators by Superintendent Adams of the state police, on March 18, we learn that even before

¹ The Penn-Central News' exposure of the text of this letter, just before the strike, caused a sensation

the strike became effective, miners were considered potential law breakers by the state," President Brophy wrote Governor Sproul on April 10. "This is proven by the suggestion of Superintendent Adams that the 'operators have an understanding with the sheriffs' of the counties in which they operate. The letter asks the operators 'to supply me with the name and description of all known radicals living in the vicinity of your operations.' Such a request leaves it within the power of the coal operators to brand union leaders and organizers as dangerous men and set the state police upon them." A single officer of the constabulary, Sergeant George Freeman, born in Windber, was cited to Governor Sproul as having offered to protect the miners against the companies' guards.

Repression, of course, was not confined to Somerset County: it did vary largely as the sheriffs actively aided the operators or were merely indifferent to violence perpetrated by the operators' guards. Up in the section where Jefferson and Armstrong counties join, Sheriff Lowrey's son forced the operators at Timblin to live up to an agreement with the organizers for a peaceful meeting with strikers, despite the interference of state constabulary and the Armstrong County sheriff. But at Echo in Armstrong County the sheriff descended on the first meetings held a mile and a half from any mine property, with a war veteran presiding. The affidavit¹ of the chief organizer, Board Member H. E. Carletti, says: "Six policemen under Anderson with rifles and tear gas bombs broke up the meeting. . . They threatened the men with tear gas and some used the butts of their rifles on miners who did not run away when commanded, after Anderson read the Governor's proclamation ordering miners to not assemble in groups. They searched all the leaders and many of the miners: they found no weapons of any sort. Carletti and the speakers were arrested and taken to Kit-

¹ Obtained by Governor Pinchot's police investigation, 1923.

tanning. . . There they were obliged to undergo a grilling, the police charging them with disorderly conduct and desecrating the flag. The police told them that the mere carrying of a flag by miners on a march or at a meeting was not allowed by the Governor Sproul order, and was desecration. There was no fine imposed, no costs assessed but the miners had to pay \$25 costs to get their flag back.” (The miners believed that “the Pennsylvania laws passed during the war hysteria required a large American flag at any meeting.”)

In Cambria County about the same time the writer witnessed an effort to get Sheriff Logan Keller to notice the conduct of the guards at Vintondale. Organizers had entered the town at the request of miners there and were promptly driven out. On April 19, reporters, from the New York Herald and the Federated Press, had found the public road barred by guards' automobiles and were turned back with contempt by coal and iron police, togged out in the uniform of the state constabulary, 38's and all, except the helmets. Board Member William Welsh then walked into the town, eagerly accompanied by four Vintondale miners until a cohort of mounted guards drove Welsh out. Next day two of the four miners, brothers named Pedeck, were taken to tell their story to Sheriff Keller: all four had been discharged and evicted that same afternoon; the men were held prisoners in the company office while their goods and families were trucked out of town in one direction; then after the company had taken \$35 off them “for the costs of the eviction” the miners were driven out in another direction. They wanted the Sheriff to find their belongings.

The Sheriff said he would “stop that” and drove off to Vintondale. A few hours later the writer also went to Vintondale; was promptly halted; then permitted to “drive through” town, attended by an autoloading of guards; an hour later returning through town the car was fol-

lowed by five autos of men with guns, horns blowing, and the three mounted coal-and-irons galloping alongside,—a sight for the gods of democracy. Sheriff Keller relapsed into apathy.

In Somerset County in the same month things were the same, only more so. Take a single one of the affidavits collected in 1923 by Governor Pinchot's police inquiry. Mr. & Mrs. Elmer A. Shirey of Boswell, with three daughters in school there, were jitney drivers who frequently took the organizers as fares. Accompanied by Mrs. Herman Bittner of Boswell and Mrs. Sarah Menhorn of Somerset Mrs. Shirey took a stranger to Ralph-ton, starting back about 11 p.m.

D. B. Zimmerman, in an automobile, with eleven other machines accompanying him, followed, while several other machines hurried through another route to a point where they could intercept Mrs. Shirey's machine in a strip of woods out from Ralph-ton. The machines blocked the road, refusing to let Mrs. Shirey's machine pass. For nearly two hours the Zimmerman machines blocked the road so Mrs. Shirey could not pass either way. Zimmerman and his men insisted that Powers Hapgood was in the Shirey machine, disguised as a woman, and they wanted him put out so they could arrest him. Mrs. Shirey maintained that there were but women in the machine. Finally the chauffeur of Zimmerman's who knew Mrs. Shirey, asked if he could sit in her machine, while the Zimmerman followers debated their next action. While the man was in the machine he endeavored to take hold of one woman's leg and did so, for an instant, when he was ordered out of the car. Then Mrs. Shirey searched and found a revolver she carried, and pulled it and threatened the men in the machine in front of her machine and forced them to get out of the way. She drove to Boswell, a long stream of machines, running two abreast, following. She did not reach Boswell until about 1 a. m."

Other affidavits relate attempts by operators' agents to start lynching bees for the benefit of organizers. What happened to mere miners is summarized elsewhere.

Much of the terrorism was senseless and hollow, such as the pretentiously scarey line-ups of gunmen, bosses and high company officials near the men's meetings; the arbitrary ordering of groups to move off or disperse; the

pointing to placarded proclamations and the "serving" wholesale of printed injunction papers, especially of injunctions of a six-year-old dead and gone strike. This sort of thing could be and was laughed out of even the inexperienced immigrants' mind. But with the policing and legal panoply resided also such weapons as eviction and arrest; eviction which meant exile from the company-owned community; and being put in jail is never comforting. When the entire law-and-order face of the community is set against the action—even of almost the whole community, the effect is wearing. The visible tremblings and frights of great groups of the strikers disappeared but uneasiness, punctuated by many arrests, and by the constant menace of a vague injunction, remained all through the year.

Back of the gunmen, of course, lay an economic condition which gave the fears their real force. The absoluteness of the power of the management is what every non-union miner knows. There is no pretense, it is soundly frightening, to the miner to have super watching him. In any mining town what "super says" determines the things a miner is most concerned about. Does he want the roof of his house repaired, or running water put in, or a sidewalk laid; or credit for his furniture or clothes or food; or are there questions of a school or church or the company doctor; most important of all, the working-place that he gets in the mine—on all these things he may have to "see super." If "super has it in for me, I'm finish." His reputation may depend on super's say. Miners pride themselves on their physical strength: the measure of this is their tonnage; "how much today?" they ask one another, and the answers are their pride and represent their standing with their fellows. If super assigns the best miner a bad working-place, with water in the room, and faults, rolls or boney, or fines him with frequent lay-offs "for dirty coal"—that miner inevitably "fires himself" and

his family from their community. In a non-union town there is nothing to gainsay super. No wonder that the Somerset miners, contemplating strike, or strikers being urged to return to work, hated to walk in the sight of super, or his spotters, on the way to union meetings.

The second great obstacle to striking was the lost strikes of the past.

"The miners in Somerset awaited a sign. Could the union or anybody, get in, so as not to leave them alone with the guards? The sign apparent, Somerset struck." The varying forms which the "sign" took all signified the one thing, support, "the outside union which stood by you." But among these towns were places where men had struck in the past, when the union had failed to stand by them, or had stood by;—in either case the strike was lost.

Vintondale was a case in point; in 1909 the town had struck solid, led and supported by District No. 2; the men had remained out for one year; the strike was lost; and the company suddenly filled up the town with strikebreakers, mostly Hungarians. Listie which did not strike until April 17, had been organized and disrupted four times between 1898 and 1919, winding up with bad leadership and a lost strike. Boswell which did not come out until April 18, had struck for sixteen months beginning in December, 1903, and, despite union support, had been crushed; gatling guns had fired down Boswell streets, immigrants had been imported wholesale, and many of the strike leaders had gone to prison for nine months. More recently Boswell miners had struck, once sending to Indianapolis for a union charter, but something went mysteriously wrong with the charter and the union support. Hooversville, which hesitated until the end of April, had been the scene of a vain strike lasting three years, wherein the local and the United Mine Workers organizers had been heavily enjoined; local leaders of

that strike, such as Josh Clark, came out again in 1922 but did no leading, and spoke bitterly of "those 1916 scabs," and cynically of the virtues of union support. Likewise around Johnstown the miners had struck during the steel strike of 1919, had outlasted even the steel workers, only to be beaten back in February, 1920 and punished in every "customary" way; in 1922 some of these, at the Cambria Steel Company's Rolling Mill Mine, did not strike until after May 1. In the Meyersdale region where many small strikes had been lost, and local leadership had an uncertain reputation and a strike lasting over a year was, despite union support, still unwon, the towns came out hesitantly and some were among the first to give up. Windber had been through a six weeks' strike in 1906 which was lost amid rumors of leaders' selling out. The same forces which in 1922 overwhelmed the obstacles in Windber, overcame more gradually the hesitations in all other towns in the region, excepting only Vintondale, which armed to the teeth and scared with the lost year's strike, never came out at all.

In one or two towns men hesitated because a larger proportion owned, or were paying for, their own houses; or because a majority were of a single traditionally "slow," race, e.g. Hungarians. In no place was there active opposition to organizing evinced by miners,¹ nor was there any effective indifference, although there must have been many hundreds of inert men of no initiative dragged along by the mass of the strikers. Nor were all the former-union men in the Somerset mines stanch union enthusiasts; far from it. At the April 11 Windber meeting Joe Foster obligated an old Nanty Glo union miner among the Windber strikers. Next day Foster obligated the same man at Hollsopple, whither he had

¹ An alleged "miners' meeting protesting against the strike" at Hooversville in April was investigated and found not to be a "miners' meeting" at all.

hustled for a job only to find the place striking. Soon after the organizer was giving obligations at Blough; there was the same miner! "He paid his dues each time but he wasn't what you'd call a union man."

The fact that it was a strike for union, turning on the question of union support, was what made lost strikes so powerful a deterrent.

The third obstacle concerned the policies and leadership of the international union. Doubts were expressed in April, in private, by influential older men among the Americans and by fiery men who read Italian, Hungarian, Russian and Polish papers. Remarks went: "If Indianapolis (headquarters of the United Mine Workers) wants Somerset organized why aint they been here before? You wait and see if a single one of the big fellows speaks in this region." Or, in May: "I don't see Indianapolis announcing any promises to support Somerset." Or: "Neither John Lewis nor John Brophy is a John Mitchell; they'll cut the ground from under this strike, same as happened to John Lawson's strike in Colorado." It seemed as if remarks, suggesting that gang-leadership and factions rather than fixed principles swayed the miners' union, increased as the strike wore on, instead of being forgotten. There were miners in Somerset who believed, (as the officers of District No. 2 had argued in the 1921 Indianapolis convention,) that "only the international" could organize Somerset. The whole miners' union came in for some skepticism: "they want the non-union coal stopped more than they want to carry us through a hard fight."

Such distrusting, (whether utterly unfounded or richly deserved, does not concern this record) had their influence. The coal companies knew of them and were not introducing a brand new topic when, in their press and by word of mouth, they pictured the miners' union and leaders as imperfectly committed to supporting Somerset.

As early as April 25 leaflets such as the following were being distributed to the strikers, (this one at the Imperial Company's mines at Seward):

THE LAUGH IS ON YOU!

Do you realize that union men are laughing at you for striking so that they can get the coal business, while you are compelled to starve.

THE UNION DON'T WANT YOU!

The union only wants your money and wants you to get into trouble. As soon as the union men can take the coal business away from the Coke Region, they expect to go to work and they intend to let you starve. Where will the fun come in for you and your families?

In summary, then, the greatest deterrent to the strikers was the armed guards; next, certain communities were most held back by lost strikes; and there were doubts about the support of the international union, which were not allayed by events.

The fifth general observation was this:

5. *Union support consisted at the outset in establishing democratic rights; the customary personal and collective rights of speech, assembly and association, together with recourse to legal processes.*

Questions of tonnage and other pay rates, conditions, terms of settlement were quite submerged by such questions as: what were the men's rights in relation to law officers, in relation to meetings and circulation, to post offices; and to their houses. The ordinary questions of human rights in a democracy were uppermost. At times the discussions of the men reminded one of 1776; and organizers' speeches read like pages out of histories of the American revolution. The men were asking: had they a right to take that man to Somerset (the jail) without showing papers (a warrant)? Will he get a trial? Have they a right to tell me I gotta stay home? Can they set me out (evict) on just this paper?

Union support in strikes besides leadership chiefly concerns (1) jobs; late in the summer the union found jobs for thousands by moving them to settled union fields but in April the object everywhere was of course to keep all men off the job of mining; or (2) shelter and food; by autumn the union was supplying relief wholesale; and (3) protection: at the start, against fear. Accomplishing the last was the first task; the leaders in Somerset used: (1) a fairly vigorous resort to the law; (2) more vigorous publicity.

Union use of these two democratic methods in mine strikes in the past has not always been altogether notable. Some even of the old organizers at first laughed themselves limp at young Hapgood: "He thinks he's got constitooshunl rights in Somerset. He wants to have the Burgess¹ arrested for putting him in the lockup without a warrant." When Hapgood told some gunmen that neither he "nor any other gentleman would stand for being called a son a —," such assumptions of common decency in Somerset were a killing climax to his companions. But the leaders began to make the legality of the union acts a weapon of offense. Hapgood's burgess and numbers of guards were arrested; so was a millionaire mine owner, D. B. Zimmerman, when he took to firing a rifle. The leaders did not rest with warning the strikers against violence; they called on sheriffs, state police sergeants and the governor incessantly to enforce their legal rights. Sometimes the immediate results were little enough; the guards often got off with no greater penalty than an admonition; Governor Sproul sniffed; the injunction with which District No. 2 and the Civil Liberties Union opened up Vintondale was set aside the same day. But the policy worked a real change in the quality of Somerset "law and order." In April company law officers were free and easy with clubs and manacles; to dump a pail of water out of D. B. Zimmerman's office window upon the head

¹ Burgess, D. B. Sober of Somerset (town).

of Mr. Mark was Somerset manners. In late summer arrested burgesses were hoping union leaders "would drop the case;" Somerset operators remarked that "the organizers had been law-abiding, acted like gentlemen." And the Somerset jail windows ceased to be packed with miners' heads. Simply having a legal staff on the job,—it was headed by the district attorney¹ of a union county,—insured legal recourse for hundreds of nameless strikers and demolished the "riot psychology" growing out of the guards' activities. This staff made ineffective for a time the injunction obtained by the operators' association and turned the hearings into an exposure of non-union injustices. An injunction to restrain the operators was never attempted, nor was the operators' injunction fought through to a finish. But the defensive measures at law "gave a great many simple people of many nationalities, long regarded as 'a bunch of ignorant foreigners,' the new experience of having rights and of having them defended."

Much stronger than the legal arm and undeniably successful was the union's publicity arm. What civil rights were won depended perhaps more on incessant talking about them in the papers than on arguing in court. Long afterward the union leaders in the coke region were complaining that "theirs was the bigger end of the strike but the public thought it was mostly Somerset; the Somerset end got advertised;" and well-meaning editors in distant cities were ascribing to the entire national strike, tent colonies and other conditions which they had gleaned from descriptions of Somerset. Full publicity was a convinced policy in Somerset. The district was hospitable, strange to relate, to "outsiders," and importuned newspapermen to "stay and see things." Goodrich writes:

Two stories illustrate this hospitality and the part played by these men in the strike. The first is told about Brophy himself. He had driven into Bentley's town of Boswell on a scout-

¹ J. J. Kintner of Lock Haven who had been elected mainly by socialist support.

ing expedition the night before it came out on strike. A group of state police detained the car on the main street. "Which is Broffy? Which is Broffy?" It turned out to be the little man on the front seat. "Who are the fellers in with you?" "They're newspapermen." "What do you always go around with newspapermen for?" "*'Because they're more deadly than gunmen,'* is what I ought to have answered," said Brophy afterwards.

The second incident occurred at Boswell early the next morning. Bentley and another guard were holding up a pair of organizers on the way to the mine. Just as the mix-up began to look serious, a Federated Press reporter jumped between the contestants and checked Bentley with the threat of publicity. No wonder that the reporter, after acting in his own person as a sort of embodied public opinion, described the capture of Boswell in a dispatch that began in unmistakable if unintended hexameters and then worked into the brusquer style of its climax:—

Suddenly with a snarl Bentley swung back his heavy stick.

"Take notice, Bentley," I said, stepping in, "that I am a newspaperman and here to report everything that happens."

His hand stopped for a moment. . . Organizers, thugs, police and a couple of mine superintendents all gathered together in a group, and a lively discussion started which was suddenly closed dramatically by the party of the third part, the miners on the tippie. A shout came from the tippie and the miners starting running down. The Boswell strike was on.

Sometimes the returns from the publicity work came quickly. At the Palm Sunday meeting at Windber, a number of eviction notices that had just been served were passed up to the union leaders. Monday morning, the Johnstown Democrat printed a sample notice. Monday evening, the Johnstown Ledger carried a denial by the manager of the company that evictions had been thought of. And the Windber evictions did not in fact start until weeks later. [Likewise articles in the Nation and the Survey checked evictions by the Consolidation for nearly a month.]

But Stiles' Penn-Central News was the chief weapon. The union used it, fifteen thousand or so copies an issue, for spreading strike talk in the non-union field, for warning to doubtful officers of the law, and for encouragement in the union towns. Its reporters¹ developed a technique of gathering stories at the outskirts of the meetings while the speaking was going on. Organizers and strikers got into the habit of bringing their news to it. "Will you put in about the 'cordine'?" asked one young striker.

¹ Chiefly John P. Guyer, who brought to the paper the sort of technical competence which most labor papers notably lack.

The paper's specialty was ridicule. As one reader remarked it "pulled the legs of Cossacks with perfect mischievousness." Jack Bentley, the picturesque leader of the operators' deputies, was the victim of the most sustained attack. An alliterative nickname followed him all over the county. Week after week, until even Boswell, the town he had dominated for years, went union and he left it in disgust, and until the sheriff at last took off his deputy's badge, the Penn-Central was full of stories of his boastings and his discomfitures. One issue would describe him flourishing a big revolver in a hotel lobby and counting off "twelve armed deputies" and "four little organizers;" the next would tell of important information he had let slip. Even a New York Herald reporter joined in the game:—

Jack Bentley is known to the union miners as the Bawling Bull of Boswell. Mr. Bentley deprecates this. He is a tall and handsome southern gentleman, wears the flossiest clothes in Somerset County and the finest mustache, and his great voice roars through the hills like a trumpet blown at midnight. He is a roving deputy.

Ridicule versus Fear; in those terms much of the strike story can be told. The resulting change in the psychology of the miners was evident. At an early Windber meeting, a crowd of two thousand miners were made pretty nervous by a single spectator with a camera. But before long the gatherings of miners and their families in the Windber apple orchard or on various stump-covered hillsides were carefree enough

To sum up: the first wave of the strike took place with no organizers present, after the distribution of literature; the towns struck at the sign of union support; this support consisted in establishing customary democratic rights; the aim of the strikers from the start was a union. The spontaneities of a democratic mass movement ruled events at the beginning.

Less naive democracy and more conformity to an established organization—the international union—it is apparent, must mark the next stages of the story, as the consequences of "union support" become plainer.

If still later stages show a collapse in the strike it will be necessary to inquire whether that collapse was caused by acts of the operators, through guards, strikebreakers, etc. or by some destruction of the idea of union support or by both.

CHAPTER IV

THE OPERATORS' SIDE OF IT

At the start the operating interests stood agreed unanimously on theory and practice; seven months later a dissenting opinion was published by the wealthiest interest in the field which was construed by some of the others as "giving our whole case away;" but this expression modified the operators' practice in no visible way.

Of the two main contentions of the operators, one was frankly and publicly set forth in behalf of all the companies, in court at Somerset, and the other was urged with greater frankness by individual spokesmen.

Their first contention was purely selfish: that unionism was illegal in Somerset; if the owners wanted to run non-union (and they did), organization of the men thereby became unlawful under the United States Supreme Court decision in the Hitchman Coal and Coke case.

Their second contention was purely public-spirited: that their maintenance of a non-union field was a patriotic service; if they failed to carry their public responsibility, often at the cost of heavy losses, the nation would be completely at the mercy of national strikes and of union domination.

C. F. Uhl, counsel for the Consolidation Coal Co. and chief counsel representing the Somerset Operators Association in the joint application of all companies for an injunction, which was granted, argued as follows before Judge Berkey April 27, 1922:

"If outsiders get our miners to quit work, *even by persuasion*, they are committing an illegal act. . . We have a legal right to conduct our business as we see fit,—to run

non-union." He cited his authority; the Supreme Court, decision in the Hitchman case and concluded with the demand that the union be declared outlawed.

This position the operators maintain to this day. When miners' counsel objected that the Supreme Court decision was based on written (individual or "yellow dog") contracts, the operators replied that theirs were verbal contracts. Many months later they began remedying their position by distributing "yellow dogs" at their mines. In April 1923 J. C. Brydon, president of the Somerset operators association, formally notified the union not to interfere with his miners as they were under individual contract not to enter a labor union.

The patriotic position was put for example by D. T. Price of the Lochrie-Price interests, lessees from the Berwinds, in an interview.¹ Gray-haired, perfectly groomed, a small local owner who had had experience of the outside world (he had to do with the inauguration of New York's subways and once supplied coal to the Interborough), Mr. Price stated his position confidently:

"When the strike first broke I went to my mines at Seanor, to a meeting which my men asked me to attend. I told them I'd never sign a union agreement. Before we broke up they said they'd like to ask me a frank question: 'Where would the miner be today if it wasn't for the union?'

"I said, 'I'll give you a frank answer. He'd be in chains. But where would the country be if it were all union?'

"Why, we non-union operators saved the nation." Mr. Price admitted they had cut wages, several times in the preceding year; certainly they had evicted; certainly it had been costly. "My sixteen guards, at \$7.50 a day plus board and keep, cost \$200 a day. I figure my bill for guards at about \$10,000 and mine is only a tiny opera-

¹ In October, 1922.

tion.¹ It will take 50 cents a ton on the coal to cover that extra cost alone.

"We saved the public—you remember what Harding said—and the public will have to stand by us. It's a matter of principle."

The operators acted as a unit at the start: later there was much talk of the "little operators being held in line by the big fellows;" still later came the "heresy" voiced by one interest; and last of all the solid unity of position was resumed. Less than half a dozen (all small) concerns settled with the union in the autumn. Of the one hundred and forty companies listed in Somerset County, the most were purely local concerns, with capital from Johnstown, Altoona and the town of Somerset. Seventy per cent of the miners were employed by eight companies. These comprised or were allied with the five unmistakably large interests in the fields. Three of the five have been aggressively anti-union in general policy, and the other two were traditionally so in Somerset.

The influence of the first, the United States Steel Corporation, was small when measured by its direct representation in the Somerset region but larger because it was the one great employer among the miners on strike in Fayette and Westmoreland. The corporation owns steel mills (Lorain plant) in Johnstown and coal mines for them nearby; Somerset and Cambria are two of the seven Pennsylvania counties where 10 per cent of the corporation's total steam and gas coal acreages lie.² "You get the steel trust first," a taunt from smaller operators to organizers in Somerset, referred especially to the H. C. Frick Company, a Steel Corporation subsidiary, whose seventeen thousand employees furnished the largest block of strikers in the coke regions.

¹ Keystone Coal Catalog gives "employees 50."

² Steel Corporation's Annual report lists 31,375 acres, vein area, of steam and gas coal, as owned, and 2,376 acres as leased, in the seven counties, the percentage lying in Somerset and Cambria counties not being specified.

The Corporation, of course, carries over the anti-union policy of its steel mills into its coal mines wherever it can. Its subsidiaries invariably sign the United Mine Worker agreement for the corporation's sixteen mines in the middle of strongly organized fields in Indiana and western Pennsylvania but declare they will never do so for the coking coal fields of Pennsylvania and their main holdings in northern West Virginia, Kentucky, Alabama, etc. When W. H. Clingerman, as president of the corporation's National Mining Co. signed with the union, as usual in 1922, he gave cheerful assurance of how he would continue to fight the union, as president of the corporation's H. C. Frick Co.

The second, the Consolidation Coal Co. of 67 Wall Street, a Rockefeller interest, is the largest exclusively coal concern in Somerset. Its principal mines, in the Fairmont field in northern West Virginia, run under union agreement but elsewhere, especially in Pennsylvania and Maryland, the Consolidation was in 1922 making every effort to run non-union. This company was the source of the ineffective dissent in policy.

The third, the Berwind-White Coal Mining Company of 11 Broadway, was the largest single employer in the field. The miners looked on it as "Pennsylvania Railroad, camouflaged," largely because "the Pennsylvania always saw to it that the Berwind mines had cars aplenty" while nearby mines went short and because occasionally "work gangs from the mines were ordered on railroad jobs when labor was short there." President E. J. Berwind was chairman of the Executive Committee of the Board of the Interborough Rapid Transit Co. of New York and as head of the coal company was the fuel contractor for the city's subways; he was a large capitalist, on the boards of railways (Atchison, Erie, etc.) of steamship lines (Clyde, Atlantic, Gulf, etc.) of the Republic Iron and Steel Co., of banks (Guaranty Trust, Girard Trust, etc.) and insurance companies (Mutual Life, etc.), realty and

construction companies, coal sales companies and of other coal mining companies, such as the (non-union) New River and Pocahontas (West Va.).

The fourth, the Mellon interests, were connected with the field through association with the D. B. Zimmerman companies. R. B. Mellon, head of the Mellon National Bank and brother of Andrew W. Mellon, Secretary of the Treasury, was on the Board of Directors of one of Zimmerman's companies.

Another Pittsburgh concern, the Hillman Coal and Coke Co., President T. W. Guthrie, operated the largest single mine in the district (at Jerome).

The fifth big influence was the Midvale-Cambria Steel and Ordnance Co. of Johnstown (acquired in 1922 by the Bethlehem Steel Co.) operating the Rolling Mill Mine and others in the Johnstown vicinity. Mines at Heilwood also were directly owned by Charles M. Schwab of the Bethlehem company.

Obviously the dominant concerns in the Somerset field were among the largest financial interests in the land. One view of the relations between the great interests and the local managements was put as follows by a Somerset man, when the strike was a year old:

"It's King John and the barons, in many ways. The coal kings sit off in New York, Washington and Pittsburgh and leave the running of things to the coal barons, the local vice-presidents and managers and local small owners. Ordinarily the kings don't want to hear anything from the barons except tonnage and profits; in times of trouble the barons don't want to hear anything from the kings except credit and freedom from investigations. The barons are mostly more bitter against the union than the kings because for one thing they'd have to live here with the union and it would be such a plain, day in, day out, come down for them; and they know they'd get no thanks from the kings for letting the union in.

"The barons have had lots of fun jollyng the opera-

tors in union fields as if they were smarter than the fellows who've got to negotiate. The barons put it over on the east; if they make a mistake—as they did this time by telling headquarters there'd be no strike in Somerset—and the big folks get to squirming about the publicity over evictions and guards—all the barons have to say is 'well, do you want to run union? No? We thought not. Then you just keep the government and the press off and leave it to us.' When young John D. Rockefeller's special car came through here on inspection the barons acted like cats trying to get aboard; but when Rockefeller issued that statement calling for a change in policy here the barons flocked together solid and put any talk of changes completely out of business."

The reference was to the one notable break in the operators' front, the statement issued when the strike was seven months old by John D. Rockefeller, Jr., after the miners "carried the war into New York" in September. Faced with publicity which specified cases in Somerset and named names in New York as responsible Mr. Rockefeller, through the medium of a letter to the Federal Council of Churches, made public his belief that the strikers' cause was well founded. "I believe that the underlying grievances of the miners in this district are well founded and I have urged with all the sincerity and vigor at my command that the present labor policy of the operators which seems to me both unwise and unjust, be radically altered." The letter ended with Mr. Rockefeller quoting his own statement to President Wilson's Industrial Conference: "Surely it is not consistent for us as Americans to demand democracy in government and practice autocracy in industry."

This letter evoked deep resentment among the officials in Somerset; they were blamed afterward by Mr. Rockefeller's representative for the persistence of the old policy; the full story makes a later chapter of this history.

The Somerset operators' practice of "industrial autocracy" as regards publicity and law, was noticeably different from the union's.

While the union was issuing press statements daily the operators issued only one or two in April, brief denials of the extent of the strike. The union invited outside newspapers to send reporters, mostly without result, and offered observers a seat in the careering union jitneys. When Thoreau Cronyn, a noted reporter from the staff of the New York Herald, requested the operators' side from the Berwind officers at Windber, they refused to say anything, expressed doubt of his credentials, refused to telegraph or telephone the Herald office to confirm the credentials and objected to the press printing the miners' statements. Most newspapers in towns along the Pennsylvania railroad refused to print the miners' statements; to these the operators later sent occasional speeches by clergymen or judges criticising the miners. In statements to coal trade journals Mr. Brydon occasionally asserted that the strike was all over. But for the most part the attitude of silence was maintained all through the strike. As late as October the Berwind management refused to testify at investigation hearings in Windber; Vice-president F. R. Lyon of Consolidation told the investigating reporter for the New York World¹ "Public opinion can have no possible effect in this controversy." When an official of a church organization wrote E. J. Berwind, enclosing a clipping of Mr. Rockefeller's statement and requesting Mr. Berwind's opinion, the reply was sent by Thomas Fisher, the Berwind General Manager. The reply returned the clipping and cancelled Mr. Fisher's pledge of \$1,000 a year to the church work conducted by that organization, which he had been paying for many years.

At law, the operators far outdistanced the union in aggressive recourse to the courts. Following the plastering of county roads and town light poles with procla-

¹ Article by Elizabeth Houghton. New York World, October 15, 16, 1922.

mations by sheriffs, burgesses and police officers, and "no trespass" warnings by company officials, all companies joined in injunction proceedings and under the injunction as granted by Judge Berkey kept up for a year a series of actions, leading to numerous arrests and court hearings (detailed in a later chapter). At one time when women and babies were being herded by scores into the sheriff's custody Judge Berkey called a halt and requested the coal companies to desist. "Just to make us lose time and money" the union characterized these proceedings; at least one operator put it, "We'll give them plenty to worry about."

But the fundamental legal position of the operators, the basis of their acts for a year, was the United States Supreme Court decision in the *Hitchman* case. "Our position is exactly the same as that of the West Virginia non-union companies;" and what they wanted was injunctions like the West Virginia injunctions and court interpretations like those, to enforce the outlawry decreed by the Supreme Court. This belief in the absoluteness of the decreed outlawry of course has impressive support. The *Hitchman* case, begun in 1907 against John Mitchell, president, and other officers of the United Mine Workers, and decided in 1917,—Justices Brandeis, Holmes and Clarke dissenting,—does hold that "individual contracts" or "yellow dogs" entitle the company to protection against the union; and the injunctions granted under the Supreme Court precedent, enjoin the union or any representative from "inducing or attempting to induce, by persuasion," such contracted employees "to join the United Mine Workers of America." As enforced in West Virginia "if you are a representative of the United Mine Workers you may not appeal to the coal miners of Mercer and McDowell counties, to join your organization. . . . If you are a mine worker in those counties you may not listen to an account of unionism from a representative of the union."¹ John R.

¹ From "Civil War in West Virginia." 1921. p. 68. By W. D. Lane.

Commons¹ summarizes it that "the mining situation in West Virginia makes plain the issue that faces the nation: Shall the Supreme Court of the United States deny to labor unions the right to persuade? In the final analysis this is not a judicial question at all. It is a legislative question. The Supreme Court has decided the public policy of the nation." The individual who signs thus, contracts "not to join a labor union while employed; and not ever, after quitting or being discharged, to persuade other employees to join the union. . . And he makes this individual contract with the agent of the United States Steel Corporation or with the agent of the Norfolk & Western Railway controlled by the Pennsylvania Railroad Company—in short he makes this contract with the associated financiers of the nation. . . Shall the financiers have the right to organize and labor be denied the right to organize? The Federal courts and the state courts of West Virginia have so decided."

To get the enforcement of this ironclad decision extended to Pennsylvania was the goal of the operators.

A sample of the "yellow dogs" distributed in Somerset by the Consolidation Coal Co. a few weeks after Mr. Rockefeller's letter and later declared withdrawn, reads:

CONTRACT OF EMPLOYMENT

In order to preserve the right of every man to work for whom he wishes and to do such work as he may desire, to preserve the right to wages or pay in proportion to services rendered, to preserve the natural and constitutional right of individual contract, to preserve to each individual the full fruits of his own labor, and to promote the interests of both parties hereto, THE CONSOLIDATION COAL COMPANY, INC., employer and ————— employee, agree as follows:

That so long as the relation of employer and employee exists between the parties of this contract, the employer will not knowingly employ or keep in its employ, in or about the mines of its Pennsylvania Division, any member of the United Mine Workers of America, of the I.W.W., or any other mine labor organization, and in consideration of this agreement on the part

¹ Ibid. Introduction.

of the employer, and the fair wages which have been agreed upon for the work done or to be done, the said employee, who affirms that he is not now a member of any labor organization, and agrees not to join or belong to any labor union or organization, and will not aid, encourage or approve the organization thereof, it being mutually understood that the policy of the employer is to operate non-union mines in its Pennsylvania Division, and that it will not knowingly enter into any contract of employment under any other conditions; and if and when said relation of employer and employee, at any time and under any circumstances terminates, the employee agrees that he will not then or thereafter, in any manner molest, annoy or interfere with the business, customers, or employees of the said employer, and will not aid or encourage any other person, persons or organization in so doing.

Witness the following signatures, this the
 day of 19.....

THE CONSOLIDATION COAL COMPANY, INC.

By official, or agent,
 Signature of employee,
 Witness to signatures,

The expressions of this contract sum up the operators' ideas. In the spring of 1923 "yellow dogs," worded precisely as above, were declared to be in force in all the principal companies (except Consolidation, Davis and Berwind-White), formal notice of their existence was served on the union by J. C. Brydon, and an injunction was sued out by Brydon's company restraining the union from attempting to "induce or persuade" his employees to "break their individual contracts," and from picketting or paying strike relief or maintaining barracks. The temporary injunction was granted in May.

The ideas, then, of the operators are comparatively easy to grasp. The results of their policy are harder to discover: no statistics of the coal industry furnish the means for generalizations. In brief, the non-union policy entailed two consequences visible in the communities. First, there was added to the population a percentage of persons in the shape of police, guards, deputies, detectives, spies, etc. Second, a percentage

of the mining population was removed, through evictions, permanent discharge or transference to union fields. Both processes cost money. Are there any statistics on which to base estimates of the numbers and costs of the processes? In a word, guards and evictions are necessary parts of a non-union policy; what do statistics of them tell of the policy?

There are no "natural sources" for such statistics. Keeping exact records of what happens to strikers is not the union's business; the simple request for a complete list of the locals organized in Somerset with the membership of each at its peak, staggered the statistical resources of Secretary-Treasurer Gilbert of District No. 2; his estimates differed widely from the organizers'.¹ The Department of Labor and Industry of the state of Pennsylvania in June, 1923, had no statistics even of the number of miners in the Somerset field for any year later than 1921. It is likely that the operators have more or less exact knowledge of what guards and evictions cost them but usually they keep that book determinedly shut. Most sheriffs in the different counties proved to be extremely bad bookkeepers for such purposes. In short the coal business in Somerset was not run with an eye to informing the public on the effects of its policies.

Still, in the course of a year, certain records were got together; they will be presented first and then examined for whatever indications they furnish.

Table A. was compiled from data obtained by T. Henry Walnut, appointed a Special Deputy Attorney General by Governor Pinchot to investigate the state's industrial policing systems. The investigation was carried on in the chief strike areas in the spring of 1923, and usually covered the period of the strike April to November, 1922.

¹ President Lewis "had none of the statistics you request." He estimated one hundred and fifty new locals had been organized in the various strike regions, with one hundred thousand strikers.

TABLE A

County	Sheriff	Total coal deputies ap- pointed (7 months)	Total formal evictions (7 months)	Mining Population ^a (1921)
Somerset	(Griffith)	656 ¹	1586 ³	13,218*
Fayette	(Shaw)	6108 ²	4138	23,966†
Westmoreland	(Black)	400	628	22,760§
Cambria	(Keller)	600		23,777‡

¹ Does not include the "special constables" put on by the Berwinds in lieu of sheriffs' deputies.

² A total of sixty-eight hundred and six deputies were appointed; over six hundred were for railroad (mostly coal-carrying) companies. The sheriff's first statement, forty-five hundred, given to Mr. Walnut and other investigators, he held to for many months until led to revise it.

³ This figure is for one year; it is from Table B. Sheriff Griffith gave:—evictions for the seven months' period seven hundred and eighty-three; for one year eight hundred and twenty-one. But this did not include the Berwinds who did their own evicting (see next table.)

⁴ "Average number of employees" for 1921, from Pennsylvania Department of Labor Report, December 8, 1922.

* Mostly non-union; † largely non-union; § non-union; ‡ largely union.

In Somerset as in most other counties, the sheriff was paid by the coal companies \$1 per day per head for each deputy as long as the deputy's commission was in force. The companies paid the deputies' wages.

Sample costs, etc. furnished by coal companies in Greene County, in answer to requests by Mr. Walnut for total guards in the seven months' period, average number, and costs.

Mather Collieries: Average, 1 captain, (\$160 per month) 16 "patrolmen" (\$135 per month each plus \$45 per month each for board); 4 "special officers" from Cleveland, paid by the Cleveland head office.

Pittsburgh Steel Co. (Gray's Landing.) Average 26 (at \$6 per 12 hour day plus \$1.50 board per day).

Buckeye Coal Co. (Owned by the Youngstown Sheet & Tube Co.) Total guards, 148; April 1, 2; June 1, 52; July 1, 41; Sept. 1, 42; Nov. 1, 31; Jan. 1, 29; (May, "the panic month," omitted). Greatest number at any one time, 52. Paid at 70c to 80c per hour, 8 hour day. Wore the uniform of the State Constabulary.

Table B. Detailed deputies and evictions in Somerset, as recorded on sheriff's books; by coal companies. There are added estimates of the number of employees

per company in 1922, compiled from (a) The Keystone Coal Catalogue, (b) the State Labor Department and (c) figures supplied by companies; in (d) no records were obtainable.

NOTE.—It must be understood that these are not the "total guards and evictions."

TABLE B

Company	No. of Employees on eve of strike	No. of dep- uties on Sheriff's books May 18, 1922	Total of evictions through Sheriff for 1 yr. April, 1922-May, 1923
Consolidation Coal Co.....	1750 (c)	41	139
Berwind-White Co.....	3000 ¹	122	[765 ²]
Hillman Coal & Coke.....	567 (a)	29	192
Quemahoning Coal Co.....	735 (a)	15	72
Quemahoning Creek Coal Co..	225 (a)	20	15
Randolph Coal Co.....	80 (a)	17	
Davis Coal & Coke.....	323 (a)	12	48
Western Maryland R. R.....		11	
Somerset Mining Co.....	125 (a)	12	5
Shade Coal Co.....	125 (a)	10	2
Brothers Valley Coal Co.....	534 (a)	8	
Huskin Co.....	210 (a)	6	
Reitz Coal Co.....	755 (a)	6	91
Central City.....	(d)	6	
Penn. Smokeless.....	158 (a)	3	16
Imperial Co.....	116 (a)	2	5
Penna. Collieries.....	228 (b)	2	9

¹ The Berwinds do not furnish their "number of employees" to the Coal Catalogue. The Pennsylvania Department of Labor gives thirty-one hundred and four employees for 1919. A nationality list furnished to Department for January 1, 1922, gives twenty-eight hundred and ninety-four employees. The strikers' estimate was "nearly four thousand," which included the interests leasing (secretly) from the Berwinds. In May, 1922 the Berwind General Manager for Pennsylvania, Thomas Fisher, gave "three thousand to thirty-five hundred" as the number of employees, in his testimony on the witness stand.

It is really true that these coal companies themselves don't keep adequate statistics of employment.

² Berwind evictions were handled directly by company guards, constables, etc., who kept no public records. Company officials estimated "very few." The police in Windber alone, said "about six hundred." Strikers' estimates for "all" the Berwind mines ran to two thousand. The estimate of Organizer Foster ran: Windber, six hundred and fifty; No. 38 (Seanor) forty-two; No. 42 (Windber) twenty-six; St. Michaels, forty-six; total, seven hundred and sixty-five.

Company		No. of Employees on eve of strike	No. of dep- uties on Sheriff's books May 18, 1922	Total of evictions through Sheriff for 1 yr. April, 1922-May, 1923
Victor Coal Co.....	154	(b)	2	9
Bird Coal Co.....	146	(b)	3	
Tripple Coal Co.....		(d)	1	
McGregor Coal Co.....	109	(b)	1	
Somerset Operators Ass'n.....			7	
			<hr/>	
			348	
Old Colony Coal Co.....	60	(a)		2
Listie Coal Co.....	150	(a)		6
Wilmore Co.....		(d)		4
Arrow Coal Co.....	255	(a)		55
Ines Coal Co.....		(d)		14
Knickerbocker Smokeless.....	150	(a)		4
Loyalhanna Coal & Coke.....	295	(b)		28
Egolf Coal Co.....	78	(b)		5
Wilbur Coal Co.....	170	(a)		28
Jasahill Coal Co.....	105	(b)		23
Reading Iron Co.....	63	(a)		12
Maple Ridge Coal Co.....	135	(a)		14
Baker-Whitely Co.....	130	(a)		10
Grazier Coal Co.....	139	(b)		13
				<hr/>
Total Sheriff's evictions				821
Total Berwind-White				765
				<hr/>
				1586

Total companies in 2 lists, 34 (out of over 140 listed for Somerset county in Keystone Coal Catalogue); total employees (with 4 companies lacking) in "deputies" list, 9340; in both lists, 11,070.

With these tables we must put others giving an idea of the state of affairs a year after the strike began.

Table C. Men, women and children drawing strike relief, one year after strike began, of sixteen locals in central Somerset in charge of organizer Hapgood; to-

gether with amounts of relief checks, and estimates of men originally on strike and of men ("scabs") returned to work.*

TABLE C
FOR A WEEK IN MARCH, 1923

Name of local Union	Drawing strike relief			Amount of week's check	Number of original strikers	Number of "scabs,"
	Men	Women	Children			
Acosta	74	41	154	\$600	350	6
Husband	18	9	25	175	50	0
Listie	124	78	230	1300	250	40
Ralphton	55	36	119	550	350	20
Kantner	28	19	46	225	55 ¹	0
Jenner	79	55	204	750	400	25
Holsopple	47	41	107	525	300	35
Blough	15	8	34	150	50	2
Hooversville ..	69	42	119	575	700	150
Jerome	158	102	383	1600	750	100
Boswell	183	137	643	2000	518 ²	16
Gray (Ankeny).	39	22	67	375	225	15
Bell	23	13	44	200	150	30
Harrison	18	14	48	175	150	25
Randolph	17	5	8	150	50	1
Murdock	103	68	164	600	150 ³	40
Total 16 ⁴	1050	690	2395	\$9750	4498	515

¹ All Americans.

² Hapgood's own local.

³ All Americans; 40 quit the strike in November when an organizer told them "strike is lost" and 25 went away to union fields; no organizer had been near them for five months until they sent for Hapgood.

⁴ Hapgood and Mallon also had charge of Forge No. 6 local at Maida-dale (signed up) and the McDonaldton local, on strike for 18 months, which had sent for them.

List of strikers on relief in northern Somerset, six locals (all Berwind and allied interests) under Organizer Joe Foster, in 1923.

* The totals of memberships of locals here rarely coincide with the totals of employees for the principal mine of each local because (a) sometimes the entire number of employees did not join the local; (b) sometimes the employees of half a dozen nearby (generally small) mines joined the main mine's local.

DRAWING STRIKE RELIEF

Name of local	For a week in Jan. 1923			For a week in May, 1923 Men
	Men	Women	Children	
Windber	361	265	1012	290
Scalp Level	207	160	551	171
No. 42 Windber	9	7	30	9
No. 38 Seanor	35	25	81	22
Cairnbrook-Central City..	211	157	654	261
St Michaels ¹	10	8	14	1
	833	622	2342	754

Original total of strikers,—about 4,000.

Total persons on relief, Hapgood's list..... 4135

Total persons on relief, Foster's list..... 3797

Total 7932

¹ The St. Michaels strike broke badly in the late summer due to "union scabs" from South Fork.

In the Appendix will be found *Table D.* giving a sample of changes in volume of employment, by nationalities, (the Berwind mines January 1, 1922 and January 1, 1923).

From these tables, three major facts thrust out: the considerable percentage of "police" added to the Somerset mining population; the very small percentage of strikers who returned to the mines; the large percentage of the mining population driven out or voluntarily removed from Somerset. Some estimates can be added of the costliness of the policing and evicting processes. The viewpoint and practices of operators in the coke regions coincided in the main with the facts in Somerset. There are differences but no essential breaks in the picture of the whole.

First, as to armed force; the sheriff's deputies constituted an essential part of the companies' privately paid police. The listed totals of deputies do not mean that such numbers of deputyships remained in force

throughout the strike nor that the deputies were the total of the armed guards. Of the sixty-one hundred and eight deputies in Fayette County, between four and five thousand were commissioned early in the strike. In a few weeks time there had been thrown into the region an armed force equivalent to between 20 and 25 per cent of the (male) mining population¹ or one deputy to every four or five miners. This force was recruited in Pittsburgh, Cleveland, Chicago, New York and West Virginia, principally through seven "labor detective agencies,"—W. J. Burns', Vickery's, Tanney's, etc.—of the sort which for many years have advertised their ability to put thousands of guards or strikebreakers into any field in America in a few days.² Led by the United States Steel Corporation companies, experienced gunmen were imported by the trainload, deputized in batches by the sheriff, who then largely lost track of their location and activities. After two months an outcry arose on the ground that deputies were required by law to be at least residents of Pennsylvania; it went to court and nearly two thousand deputies' commissions were cancelled. Many of the gunmen lost their jobs but the larger proportion were reported retained by the companies, not as "deputies" but as "coal and iron police" or "constables," etc. The sheriff estimated the average—(and admitted it might be an underestimate)—of remaining deputies at about twenty-five hundred, or one to every eight miners.

Costs of these guards in the coke regions, averaged from \$5.60 to \$9 per day per man in Fayette and Greene Counties, paid of course by the coal companies. From three of the companies which furnished cost data to Governor Pinchot's police investigation we get the fol-

¹ There were twenty-three thousand nine hundred miners in Fayette County; several thousand of these were at union mines where almost no guards were posted, leaving around twenty thousand strikers to be "guarded." In Westmoreland there was less of a strike and less guarding.

² See the "Interchurch Report on the Steel Strike" and "The Labor Spy" by Sidney Howard, for detailed studies of these agencies.

lowing picture. The Pickands and Mather Collieries, (at Mather, Greene Co.,) paid \$21,600 in wages in seven months to "guard" their three hundred and five striking miners,¹ their guards averaging for the whole period seventeen, or nearly 6 per cent of the number of miners. Besides there were the "four special officers;" these men, "labor detectives," often command "fancy prices," besides the high "fees" paid to the detective agency for "advice" etc.

The Pittsburgh Steel Company (mines at Gray's Landing) paid \$41,000 in wages in seven months to guard their five hundred striking miners,² the guards, twenty-six, averaging 5 per cent of the miner population.

The Buckeye Coal Co., with a total of one hundred and forty-eight guards, (for seven hundred and twenty miners)³ maintained an average in the neighborhood of forty-five, paying them \$70,875 in wages, in seven months, the guards averaging 6 per cent of the number of their strikers.

For these three companies then, according to the companies' figures,⁴ more than \$139,000⁵ was paid in wages in seven months for guarding fifteen hundred and twenty-five miners or an average of \$91 per miner. If we take this as a sort of "companies' estimate" and apply it to the twenty thousand strikers in Fayette, it gives \$1,820,000, paid to deputies in seven months, not to speak of fees to the sheriff or to the labor detective agencies. If we take the sheriff's estimated average of twenty-five hundred deputies, the costs were higher—about \$3,975,000.

¹ Keystone Coal Catalog, 1922.

² Preliminary report of State Department of Labor, 1919, gives four hundred and ninety.

³ Keystone Coal Catalog, 1922.

⁴ Governor Pinchot's investigators had to take the data as given, with no opportunity to check up from the companies' books nor even to ascertain the methods of getting averages. The companies were, to put it mildly, not accustomed to making public such data.

⁵ Estimating the "four special officers" at the prevailing rate.

For the three companies, more than 20 cents a ton would have to be charged by them on their normal monthly output of coal to cover the deputies' \$139,000. In the middle of the strike Fayette County operators had asked the Federal Fuel Administrator for permission to charge their consumers \$1 a ton extra "to cover the costs of fighting the strike."

In Somerset County the attempt was not made as in Fayette to clothe the greater part of the guards with the powers of a sheriff's deputy. Less was told, too, as to how the guards were recruited, though several of the companies, notably the Berwind-White, utilized a labor detective agency. Costs in Somerset averaged higher than in Fayette, seeming to run between \$8 and \$12, per guard per day.

Sheriff Griffith "had no idea" what percentage the deputies were of the total number of guards. His books¹ he said, showed one hundred and sixty-four deputies in April; two hundred and sixty in May; one hundred and sixty-six in June; two hundred and thirty-two in July; one hundred and seventy in September; one hundred and seventeen in October,² maximum at any one time three hundred and twenty-five; total six hundred and fifty-six. He deputized twenty-eight coal company officers, one being J. C. Brydon. In the police investigation he gave varying estimates of the average number of deputies in a year, the last being one hundred and twenty-three. His books showed for the seven months period, an average of one hundred and seventy-nine. He was paid by the coal companies as a fee, \$1 per day per head as long as each deputy's commission remained in force. An average of one hundred and fifty deputies would have netted him for the seven months \$32,000: in the spring of 1923 the sheriff's

¹ Figures given to T. Henry Walnut in the police investigation.

² Beyond the seven months' period the figures were: November, seventy-three; December, forty-eight; January, thirty-six; February, thirty; March, thirty-three; April, sixty. Out of the total of six hundred and fifty-six only two hundred cancellations had been recorded after one year.

friends understood he paid income tax on fees from coal companies totalling between \$30,000 and \$35,000.

Table B shows that in mid-May listed deputies were, for the Berwind Company, about 4 per cent of the number of their strikers; for the Consolidation, 3 per cent; for the Hillman, 6 per cent; for the Quemahoning, 2 per cent; for the Quemahoning Creek, 10 per cent; for the Somerset, 10 per cent; for the Shade, 10 per cent; etc. In this same fortnight when the Quemahoning Coal Co., had recorded a total of only fifteen deputies, Ralph-ton strikers reported a count of sixty to seventy-five guards, in automobiles and afoot, distinguished by guns, clubs or uniforms, marshalled by President D. B. Zimmerman himself along the road to their meeting place. At Gray where the Consolidation had three recorded deputies, the strikers at this period reported a count of "thirty-five to forty gunmen and spotters."¹ Such totals were in all likelihood overestimates and give no clue to the average for a year of the strike or even for the first seven months. Certainly the listed deputies averaged nearly 4 per cent² of the number of the miners, during the principal phases of the strike, and the total of guards may have averaged from 10 to 15 per cent. The costs of maintaining the "army" for a year and a quarter of the strike³ may have been much more than \$3,000,000.

Next as to evictions; here again the tabulated records admittedly constitute only a part of the true total. Besides those who were dispossessed by formal sheriff's, or borough police, procedure, hundreds of neighbors of the evicted removed when simply told by the company officer "your turn's coming." They seized opportun-

¹ At Acosta, when three "deputies" were recorded, the superintendent testified they had "twelve guards, guarding every outlet," (injunction proceedings, April 27).

² In Table B, three hundred and forty-eight deputies to companies employing ninety-three hundred and forty.

³ An average of but 5 per cent, or six hundred and seventy-five guards of all sorts, at the \$10 a day rate for fifteen months would be over \$3,000,000.

ities to find barns or sheds or cellars to remove to, before the limited supply gave out.

Of the formal evictions in Fayette County there were forty-one hundred and thirty-eight dispossessed by the sheriff or about 20 per cent of the mining population. (The evictions by the H. C. Frick Co., twenty-four hundred and thirty, were 19 per cent of its thirteen thousand three hundred and eighty employees in Fayette.)

In Somerset the formal evictions by the sheriff in a year were eight hundred and twenty-one, by the Berwind police about seven hundred and sixty-five; the total of fifteen hundred and eighty-six for companies employing ninety-nine hundred and ninety-one miners,¹ unquestionably lacks several hundred evicted by the companies' private police. At least 15 per cent of the Somerset miners were evicted through more or less formal process.

What proportion these were of the total driven out, can be inferred from the other tables. In 1923 the mining forces of many of the companies which had worked hardest to replace their strikers were still 20 to 45 per cent short of normal. The Berwind Company in January, 1923² was 35 per cent short, having 23 per cent more Americans than a year before, 63 per cent fewer Slavs, 47 per cent fewer Poles, 34 per cent fewer Hungarians, 56 per cent fewer Italians, 290 per cent more Spanish, 50 per cent fewer Lithuanians, 150 per cent more Mexicans, etc. The best strike-breakers were Americans, from Somerset farms and from outside mining regions.

In addition, Table C throws some light on the numbers who deserted the locals. Out of forty-four hundred and ninety-eight strikers in mid-Somerset, those who had gone back to work totalled 11 per cent, after one year of the strike. Some locals had lost no members,

¹ Table B: from the total of eleven thousand and seventy, were subtracted ten hundred and seventy-nine employed by five companies whose evictions were not reported.

² See Table D in appendix.

others 1 or 2, a few up to 25 per cent. Hapgood's local at Boswell counted "sixteen scabs" or 3 per cent of the five hundred and eighteen members of a year before, and was supporting nine hundred and eighty-three men, women and children on strike relief. Of the sixteen locals in Hapgood's care, 23 per cent of the original members were on strike relief, 11 per cent had deserted; as to the remaining 66 per cent, most had gone to the union fields, many had gone to other work in Somerset¹ and considered themselves "still on strike." This block was probably the best organized of the whole strike; but the block of north Somerset showed similar estimates,—about 20 per cent on strike relief, about 20 per cent deserted, the rest "gone to the union fields or hanging around Windber and the farms, on odd jobs,"—after one year.

In sum, what happened to the sixty to seventy thousand men, women and children of the mining population of Somerset County in 1922-1923 was this: 15 per cent were driven out by formal eviction, a similar per cent returned to work, about two-thirds quit the Somerset mining industry, and over a third,—possibly a half,—left the county. The mining camps gained perhaps 10 per cent of a population of police.

The eviction method was not without cost to the companies. "By due process" the Consolidation evicted 8 per cent of their employees; the Berwinds 25 per cent; the Hillman Coal & Coke, 34 per cent; the Quemahoning 10 per cent; the Davis 15 per cent, etc.; besides the many men, generally single, whom these companies deported, rather than evicted. For each sheriff's eviction the companies had to pay \$6.15 prothonotary fee, \$3 attorney's fee, and from \$9 to \$20 in sheriff's fees, trucking expenses, etc. The one hundred and ninety-two evictions of the Hillman mine averaged \$27 apiece or over

¹ It is likely that some of these went to other mines and were really to be counted as deserters. Unwilling to "scab their own mine" they would move to another Somerset mine where their faces had not been known.

\$5000 for the lot. Sheriff Griffith estimated that his eight hundred and twenty-one evictions cost the companies "about \$20 apiece" or \$16,000 in fees. He had no estimates of the cost to the evicted.

All of the costs, big and little,—armed guards, military equipment, evictions, court proceedings, labor recruiting—the operators freely said "must come out of the coal," that is, must be paid by the coal consumer. For the present, the word ran in operators' circles, "some money was coming from outside," that is, from coal and allied financial interests outside of Somerset. But ultimately the general public would pay. If the Somerset operator¹ who reckoned "it would take 50 cents on the ton" to pay for his guards, and other operators who agreed that "50 cents for a year will hardly pay for fighting this strike," were putting their wishes into effect in 1923, then on the normal annual tonnage² of Somerset and Fayette Counties alone there was a bill of \$12,000,000 being paid by an appreciative nation.

The direct financial bill was possibly not the chief cost.

¹ D. T. Price of the Lochrie-Price interests.

² Somerset tonnage in 1921, a bad year, 8,489,940; Fayette County, 15,869,041, Pennsylvania Department of Labor Report, December 8, 1922.

CHAPTER V

SUMMARY: IS ANY MISSOURI COMPROMISE POSSIBLE?

Suppose lower courts and local police under the United States Supreme Court decision should attempt to enforce non-unionism as the legal regime in Somerset and other partly organized and unorganized fields in Pennsylvania, West Virginia, Kentucky, Tennessee, Virginia, Maryland and Alabama. Suppose a Federal Coal Commission should recommend, or Congress attempt, to stabilize, on the basis of such a status quo, or to pacify the national coal industry by setting up a "Missouri Compromise,"—recognized union and non-union fields. Would such a compromise have any chance of survival? Would such a stabilizer be principally unstable?

Any summary of the facts so far brought out in this study only emphasizes an irreconcilable conflict. On the one hand you have a mining population starting to strike on a paper invitation, most of the three score towns involved rising with no organizers present; most of the rest joining on the mere visible presence of organizers; no international union organizers present at all; instead present hundreds of self-constituted organizers, old union miners, new-union men, following their own intelligence and followed up by a stable system of organization; and together, new strikers and union neighbors, moving from the start to achieve something considered among them as generally desirable—union. You have a democratic movement, an explosion, under the impetus of what was believed to be a great opportunity—the coincidence of the miners' general strike,—conditioned locally by one thing,—the question of union support.

You have an expression of forces whose main characteristic might be that they are not amenable to restrictive legislation; democratic forces and habits that can hardly be prohibited. Any legislation, or Supreme Court decision, in restraint of those miners meeting in Windber, Scalp Level, St. Michaels, Conemaugh, Park Hill, Seanor, Kelso, Jerome, etc., etc. and quitting work and sending for organizers; or in restraint of those union men in Portage, Cresson, South Fork, Nanty Glo, Meyersdale, Homer City, Clearfield, etc., etc, careering to strikers' meetings; or in restraint of newspapers printing the facts of strikes and of a national strike—the conception should seem a trifle absurd in modern America.

On the other hand you have the coal owners, when their equipment of armed guards and local prohibitions was overwhelmed, striving to make the population conform to the undeniable law of the land, as expressed by the Supreme Court, through the distribution of printed and signed agreements and of public announcements of their will to run non-union. You have them recommending these acts to the nation generally as a patriotic, public service.

On the face of it you have a conflict, where most of the hall marks are rather likely to be labelled, on the one side democratic, on the other autocratic. The chances in a proclaimedly democratic nation—despite the fact that the specific law and judgment involved are completely for the case of the autocrats—would seem to be all on the side of the democracy. Looking around, however, you have the other fact that the non-union coal fields are large and lately growing. If the forces that made the strike and the desire for union,—which are so hard to relate to the law of the land,—can be related to other facts some light may come of it. Returning to the first weeks of April you have the fact that almost everywhere the question of whether to organize or not was the question of, not laws, but union support.

The rest of this study must deal with that problem.

So far, however, the facts make any serious proposals for a Missouri Compromise in coal or for any stabilized status less than complete unionization look quite impractical.

THE PROBLEM OF UNION
SUPPORT

PART II

CHAPTER VI

MAINTAINING A STRIKE

How in the world do they stick it out? is the natural question of outsiders regarding families and populations in a long drawn out strike. The same wonder arises regarding besieged towns in war. There is still to be written by industrial historians the first detailed account of the daily and monthly shifts, devices and maneuverings in a desperate strike through which separate families and whole regions survive to the attainment of a collective aim.

The union miners in 1922 stuck it out about twice as well as their own leadership expected; so the history of this strike, if written, would have peculiar point. Especially in the old union fields of central Pennsylvania leaders had said privately, "In the third month, if there's no settlement, the weak spots will begin to go; from then on it will be a question of saving the organization." Their fears were based on the preceding year of slack work and low earnings; in District No. 2 the miners had calculated that they averaged but one hundred and twenty-four days' work and from \$760 to \$815 for the year; two and one-third days work a week, for earnings of from \$14.60 to \$17.50 a week.

But June passed without a break in the ranks; August, the fifth month, saw none. The low earnings of 1921, on a good second look, might have been recognized as in themselves predicting a desperately-resisted strike. Fourteen sixty a week—and then reductions! The prospect was a bit too simple and too black; miners vowed "to starve first." The government, the coal operators and

those union leaders who together "saw no way for the mining industry to stand out against the reductions in every other industry" had not reckoned with their host—the host of lean-living miners. The strike "crumbling" in June; "reductions accepted" in July; that was not the history of 1922.

The resistance of the sixty thousand new-unionists in Pennsylvania was a greater surprise still. On March 25, an international union officer commented for the press¹ upon the invitation to the non-union fields; he believed about half would respond but "it's a question how long they'll stick." There were union officers who said: "It's a mistake to call them out; even if they do come, six weeks will see them finished and discouraging our fellows." But after five months the new-unionists were "damn good strikers."

Necessarily for a period the new-union strike "rode on the back of the national strike." A "graph" of the combined national union and Somerset strike, a "curve of strike morale," more or less coincident with strike effectiveness, and evidenced by strike activity might (if such could be made), indicate,—along with the general downhill grade of a coal strike,—the bumps of effectiveness created first, by the non-union walkouts, second, by the railroad shopmen's strike in July, and third, by the government intervention in August; then for the Somerset end, a great drop following the Cleveland settlement, a sharp rise attending the New York picketting, a low grade through the winter and a flick up in April, 1923. These Somerset ups and downs, we shall find, turn on the question of union support.

The following running summary of events, May to August, is taken from the Johnstown Democrat, the Penn-Central News, general news clippings and field notes of observers.

¹ I. N. S. despatch dated Cleveland, March 25; e.g. Pittsburgh Press.

This summary in no way concerns the rights or wrongs of the country's miners or operators. War once declared and begun, the whole thing to both sides becomes a matter of winning. By the end of April Somerset folks knew that their fate depended first on what happened to the United Mine Workers as a whole; observers there found both miners and operators had a weather eye to east and west,—to Washington, New York, Indianapolis, West Virginia and Illinois; and to the British coal exports. This then is a picture of a national situation as reflected in Somerset.

Despite the unexpected early victories in the non-union fields, it is fair to say that, as May began, most people still did not think the union had any chance of winning. The confidence of coal trade and financial journals that "the miners' leaders were crazy" was boldly expressed; labor leaders aplenty were saying "the miners will have to take theirs, same as we got ours;" and important Mine Worker leaders said to each other "we've got to keep up the fight of course; so we'll cut down the reduction; but you can't keep war wages." Most significant was the attitude of Washington. In November, 1919, the union miners struck, it was instantly apparent that they would win and the Federal government instantly intervened with the injunction which caved in the miners' leaders. In 1922 the Federal government without misgivings announced that its policy would be hands off; the administration's attitude to Congressmen's calls for intervention, to the investigations by the Nolan committee and to the resultant Bland bill was contemptuous to a degree that dumbfounded observers. Men in Washington, who were friendly to the miners and who believed that the miners, in order to win, needed the weight of government intervention, reported that you couldn't find an official soul to tell the administration that the miners had a chance.

In May, in the coal fields of Somerset, nothing of all this general wisdom weighed a feather; the outside adverse public opinion scarcely reached the strikers; where it did it was swallowed up in enthusiasm. If President Harding and his cabinet had sat down with the presidents of the new Somerset locals for a frank exchange of views on the probable outcome of the national strike, there might have been apoplextics in both camps. In the old union fields the President could have found officials to agree that the strike would end with reductions. But the Somerset feeling was, "we're sure to get something out of this,—with five hundred thousand men on the outside standing with us."

So Somerset read its papers: in West Virginia the state was trying the mine union officers for "treason" growing out of the past years' non-union battles; in New York the farcical "negotiations" of the anthracite miners and operators were dawdling on; and President Brophy in the press was vigorously "sassing" the Secretary of Labor for the government's misleading "2 per cent statistics of miners' earnings in 1921;" in Washington, Congressman Huddleston was assailing the policy of the White House and of Secretary Hoover as "an operators' policy." The Geological Survey report of the first week in May published non-union coal production as four million tons per week, instead of the two million tons which Mine Worker officers had predicted.

Events nearer home outweighed the outside news. The mine guards' activities flowered at midnight of Monday, May 1, thus: ten coal and iron police employed by the Berwind-White company entered, without warrant, the home of a striker, John Rykala, at Windber to "search for moonshine whisky;" they produced some liquor, threatened Rykala with "four years in prison unless you go back to work by Thursday;" and one of the guards raped Mrs. Rykala.

The Rykalas, young Polish people with two children, owned their own small house. The Penn-Central News reporter who interviewed the woman and her dazed husband wrote:

Shortly before midnight, they said, they were awakened by flashlights. Ten khaki clad men were in the room waving revolvers and they seized Rykala. All the men went downstairs except one. Just as the door slammed shut, says Mrs. Rykala, this man leaped at her, violently brushing the seven-months-old baby partly aside but falling against it as he hit the bed. With one hand over her mouth, almost strangling her while he covered her with the gun held in his other hand, he speedily overpowered her. Mrs. Rykala is a small delicate woman who has been in ill health for several months and was able to offer poor resistance. As the thug finished the assault he again threatened to kill her if she ever told anyone. He was leaving, when two of the other men stepped into the room, looked at her and laughed, making coarse remarks.

When the guards left they took Rykala's watch and chain.

For several days the authorities did nothing. An attorney, F. P. Martin, of Johnstown, tried to force action. Chief McMullen of the Windber police and Captain Lynch of the Berwind guards denied that any such thing had happened. "The Sheriff investigated," Lynch told Martin, "and found there is absolutely no truth to the matter. My men are all high class men." The Sheriff said that he "thought from the first the case was a frame-up" and though the guards were acting deplorably "he didn't know what authority he had over them." Sergeant Freeman of the State Constabulary forced the company to give him a list of the guards involved, though to reporters "at the Berwind-White offices Messrs. Newbaker and Booker said neither they nor the company had given Freeman any names, they had heard absolutely nothing and blandly asserted that the mines had been operating ever since the strike." At last a line-up of guards was forced. Mr. Rykala identified the ten invaders and Mrs. Rykala picked out one as her assailant, "identifying him by his voice." In Windber streets

that day two thousand strikers were forming a mob to lynch the guard, and no local police dared oppose; the union leaders persuaded the miners to go home. (Five months later the guard was tried and acquitted on the imperfect identification.)

District No. 2, the Pennsylvania State Labor convention and the American Civil Liberties Union took this and other cases to Governor Sproul; the protests were hardly acknowledged. Meanwhile on May 4, on May 8 and on May 23 to 27 most of the union officers and organizers and scores of the local leaders were forced into court before Judge Berkey under "attachments" for alleged violations of his general injunction. The legal history of strikes rarely is constructive; in Somerset it was anarchic. On April 27 Judge Berkey had granted the men's right to peaceable meetings but not "in the vicinity" of company property and had "reserved decision on their right to organize;" (over a year later he had still failed to hand down that decision.) The Consolidation, the Quemahoning and the Berwind companies successively, or conjointly with nineteen other companies, brought actions to limit the meetings; evidence turned first on what constituted "vicinity." The men would meet on private ground a mile or two from the tipple; the companies would force them into court by revealing that it owned coal land within a few rods of the meeting. Or, "vicinity" was alleged to be "within sight of mining operations;" Consolidation officials swore that from one point of their land they "saw" a meeting a mile away. "With the naked eye or with a spy glass?" asked the union's lawyer. "With a spy-glass" the official truthfully answered. A meeting was held on May 2 when Ralphton organized; on a vantage point were posted company guards with rifles and telescopes "getting evidence." Usually Judge Berkey ruled so that the men could meet; but it meant costly days in court and much scurrying

round to find meeting grounds not "in the vicinity,"—in a county completely underlaid with coal beds.

Or the alleged violations turned on the "peaceable" character of the meetings. Deputies would block the roads with their autos and arrest organizers, who tried to pass, for "resisting an officer." Coal and iron police or state constabularies would break up the strikers for "congregating" or "parading" or "desecrating the flag;" whereupon the operators would cite evidence of "riot" before justices of the peace or the court of common pleas. At the end of April, when Ralphton began to totter, organizers Hapgood and Murawski and some Boswell miners drove into the town, and began shouting the name of the meeting place to the miners; two auto loads of guards and fifty armed men afoot surrounded them; on the outskirts appeared a yelling man, belted with cartridges, and firing a rifle. It was the owner, D. B. Zimmerman himself; to the sheriff he later "loudly and frenziedly swore he would shoot Hapgood for writing up his mines in a book."¹

Hapgood preferred charges which Justice Ickes of Boswell refused to entertain, saying that Zimmerman might come down and shoot him; proceedings were started in Somerset, and Zimmerman was arrested and put under \$1,000 bond. But his company haled the organizers into court on May 4, for a "disorderly" meeting and "in the vicinity."

Likewise "disorderly" were affairs on May 2 when thirty or forty Randolph miners marched along the Lincoln highway, with a flag, and were ordered to disperse and broken up by state constabularies, under Trooper McAndrews. They drove Cowan down the road and arrested Lloyd Ream, the flag bearer, for "insulting language, disorderly conduct, and desecrating the flag;" in Somerset, Ream was held for court and jailed, lacking \$1,000 bond. Two thousand miners met that afternoon;

¹ Hapgood's Diary.

that evening the Bell miners, the last Consolidation operation left, were organized. The next day, May 3, the Consolidation sued out an attachment under the injunction, for "disorderly" meetings, twelve hundred feet and one hundred feet respectively from the company property lines, against "David Cowan, Powers Hapgood, William Mark, Martin Sabosky, Robert Garber, John Host, Thomas Stiles, Robert Hawkins Jr., Bert Tressler, Gus Sleager, Julius Bertoleno, Andy Schrock, Joe Pollock, George Gregory and Mike Frazio."—The jumble of names—including organizers and active strikers absent from the meetings—indicates the effect, to keep them all in the courts. The Sheriff's notation on the record, "\$18.20 costs," of course, was a tiny hint of the hourly money expenditures involved.

There were one or two attempts to allege radicalism. Clerk Graham of the Quemahoning Coal Co. testified that Hapgood's speech was radical.

"What do you mean by 'radical'?" asked the union lawyer.

"Anything that makes men quit work" was the answer.

In these weeks miners lay in jail—twelve at one time in Ralphton—simply because the union's legal representatives could not get to all the cases. The \$1,200, left with their lawyer in Somerset to pay fines, melted like snow.

The last of the mines in the county were closing (excepting a large number of wagon mines which began a boom time in a rising coal market). "Organizers claimed the whole county would be organized by the end of the month." Two developments loomed large: evictions and strikebreakers.

On May 9 the union ordered two hundred tents for the evicted, the first of the \$17,445.69 expended for tents in May and June. Such publicity was given to the evictions

as to fetch temporary halts and denials of the practise by the companies. At Windber, company representatives told the strikers at work building barracks that "there'd be no more;" but evictions were soon resumed.

On May 11 the Berwinds began to import strike-breakers, principally from the anthracite fields. Their methods came out in the injunction hearing of May 23. William Gwyn of Wilkes-Barre testified that he had answered an advertisement in the Wilkes-Barre Record reading:

Wanted, 500 coal miners and families. No trouble. Fares advanced. Best of working conditions and wages. See company's representative at Hotel Featherstone. Pick work. Our mines located in Pennsylvania. Soft coal.

The Berwind representative had told him that Windber "was a new mine, just starting up, three hundred and fifty houses building, and no person living in them yet, and no particle of trouble there; there was never a union there and no strike of no kind; \$8 to \$12 a day guaranteed." With forty-two other persons he had come on in a special car, under two guards "who wouldn't let anybody in or out of the car."

On finding a strike at Windber Gwyn and others refused to work; "they chased us out" of the company houses, and they had no money to go back to Wilkes-Barre. Two swore that the company offered them guns from the company store. Sherman Finney of Wilkes-Barre testified that when he told a guard, "Now I am supposed to do scab work and if I go to work someone will shoot me," the guard, Tom Martin, said, "We issue you a gun and if you shoot anybody the company will stand by you. Only one thing; if you shoot anybody, shoot to kill, a dead man tells no tales." Later, Martin "pulled a gun on me yesterday morning when he tried to hold the young man's wife."

Incessantly, however, the companies kept at the task

of collecting strikebreakers; many came from anthracite, others from around Pittsburgh and there were some from District No. 2. It was a costly business: a year later the chief attorney for the operators referred feelingly to "all the propaganda coal last summer which cost the operators \$10, \$15 and \$20 a ton to produce."

Outside, the national strike dragged on, uneventfully. The newspapers, (May 17) related the West Virginia "treason trials" with the operators' testimony that "the bombs dropped on the miners were intended to frighten only." On May 18, the anthracite operators came out with the size of the wage cut they demanded, 21 per cent. Secretary Hoover announced as the government's first intervention in the strike, his arrangements for efficient distribution of non-union coal. Press speculations as to the size of the wage cuts which the union miners would have to accept became fewer. *Coal Age*¹ remarked (May 18): "The union well can afford to lose some strength in borderland territory if it can bring permanently into its ranks the non-union men who have gone out in central Pennsylvania. Washington has not yet recovered from its surprise at the union's success in pulling out these men." Somerset developed into a rather monotonous round of continuous mass-meetings, periodic evictings, efforts to produce, incessant arrests and court proceedings. By June 1 there were tent colonies in eleven sections of the district sheltering families from seventeen towns: Conemaugh, Bitumen, Holsopple, Ralphton, Acosta, Jerome, Ankeny, Macdonaldton, Kiel Run, Pretoria, Blough, Gray, Bell, Husband, Revloc, Twin Rocks, Windber.

Most of the harassing and beating of strikers went without record; some reached court, and were noticed in the *Penn-Central News*:

¹ The operators' standard trade journal.

Charles Dias, after helping five miners evicted by the Vinton Collieries Co. at Claghorn, Indiana Co. on May 9, was beaten up by two Coal & Iron police while on the station platform. He was hammered over the arms and head with a club and blackjack, denied a doctor and was driven down the railway track at a revolver point.¹

At Seward three miners were arrested, taken to the company, and beaten up "to make them confess about a dynamiting"; as they were started to jail in Indiana the police ordered one to change his shirt. "No, you beat me till I bled; I'm not ashamed of it," answered the miner.

A single issue of the Penn-Central News (June 17) had the following six items, besides the Vintondale cases:

Tony Szciligia crossed company property at Wilbur on his way to a meeting: was arrested and taken to Somerset; guards gave other Wilbur miners "10 minutes to pack up and go."

Tony Lilko, at Berwind No. 38 mine, while helping a comrade evicted from a company house, was arrested for "trespass;" two guards beat him up and added the charge of "resisting officers"; he was taken by the company store boss to a neighboring town where a justice was found to hold Lilko on the charges.

Steve Sacco, arrested without charges, while walking on the highway at No. 35 mine, was manhandled and fined \$5 by Burgess Barefoot; when he refused to pay, the Burgess finally turned him loose without explanation.

George Carsaro, ex-soldier, at Dilltown, arrested for "violation of the mining law" by entering the mine to get his tools without permission, was held in prohibitive bail, \$1500; when the union took up the defense the company dropped the case.

At Kelso on June 7 three women and one man were arrested by a parade of fourteen deputies and guards, armed with guns and clubs, fined \$25.50 to \$39, each and jailed in Somerset on refusing to pay; charges "disorderly;" they had been picketting.

At Central City, Susie Filyo, her mother Mary Fetsko and Annie Farapchak, pregnant, jcered at Americans returning to work and were clubbed by guards: "two women beaten on one porch belonging to Andy Holkovitch and one was beaten in ditch alongside the road because police pushed her in ditch and clubbed with the rifle on the neck; beat her with blackjack," reads the immigrant miners' statement to union headquarters. The statement is curiously indignant about a guard trampling an American flag waved by one of the women; and it ends with a puzzled complaint of helplessness because their local's officers, Kane and Zimmerman, had deserted. Kane, they said, on June 5 had advised them to ambush strikebreakers and "fill them full

¹ Affidavit in possession of Governor Pinchot's police inquiry.

of buckshot, and this Collins Kane is now a coal and iron police and some says he's a deputy sheriff."

The stir caused by the Vintondale cases in May and June was chiefly due to the energetic court tests made, which threw the facts into high relief. The town was a good specimen for a test case; the unbelievably autocratic regime there in normal times was recorded by Hapgood in 1921: no persons allowed in town without permits; salesmen deported; and Hapgood, after getting a job, was immediately fired for asking what the conditions of work and pay would be.

Arthur Garfield Hays of New York, as attorney representing the American Civil Liberties Union jointly with Samuel Untermyer, on May 27, drove to Vintondale, "to see if the printed stories of hard-riding cavalry there were correct." He was accompanied by J. J. Kintner, the union's attorney, two lawyers from Philadelphia and several newspapermen. They were set upon by five mounted coal and iron police, brandishing weapons and riding their horses so as to make the visitors jump to save their toes. "Get out of town, — — — you. Bust up or we'll bust you up," were their war cries. First one of the newspapermen, then Mr. Hays—who is a cripple—were thrown into automobiles; Mr. Hays's warnings stopped the violence, if not the profanity, and the guards yelled in triumph as the visitors left.

But in a few hours the visitors returned with an unheard of thing—warrants for the arrest of the guards and chief clerk Arbogast, on charges of assault. The accompanying constables had difficulty convincing the Vintondale army that it was really under arrest. The prisoners were arraigned in Vintondale; the company squire in the company store released them in bond for a hearing.

Then seeing Mr. Hays as complaining lawyer trying to approach "the court," clerk Arbogast and Butalla, one of the arrested guards, "arrested" Hays for "trespass."

They dragged him to the lockup; some time later they returned with a warrant which they read to him. By insisting on an arraignment he got it, at a board table near the cell, presided over by company Justice Blewett. The proceedings went:

"Mr. Hays, you are charged with trespass," announced the squire.

"Well, then, I want a hearing," answered the defendant.

"I'm going to give you a hearing," shot back Blewett.

"I'm ready for trial now," said Hays.

"All right," answered his honor, "you're guilty and fined \$5."

"Wh-a-at," gasped the New York lawyer, "aren't you going to give me a hearing? I demand a trial according to law, and refuse to pay the fine."

"Case is closed," said Blewett, "I'll remit the fine if you get out of town."

"I refuse to pay the fine or to be run out of town, and I demand trial as the law provides. I was summarily arrested by men themselves under arrest, as I was on my way to a justice of peace. You can't find me guilty without hearing evidence."

"I know enough about the case," answered the squire slowly, "and I tell you the case is closed."

"It's not closed," said Hays, sitting back in his chair. "I refuse to allow a verdict of guilty to go on the record without a trial of any kind."

"That's all!" asserted Blewett with emphasis, "the case is over, but you won't need to get out of town."

"But I won't take a report of guilty without a trial," repeated Hays.

"That's all right, you're not guilty," said Blewett, as though getting bored, "you can go."

"Come on, get the h——l out of here," said Butalla, who was acting as sergeant-at-arms, crowding up. "I'll give you so much goddam justice you won't know what to do with it."

The Vinton Colliery Co. was not particularly inconvenienced, even though throwing these visitors around resulted differently than when organizers or miners were assaulted. Mr. Hays brought test suits against the company officials, prepared for injunction proceedings against them and sued the company for \$30,000 damages. Mr. Untermyer wrote Governor Sproul: "A reign of terror and despotism has been set up in our midst with all the sanction, attributes and power of government, by an ele-

ment of the capitalistic class." C. W. Schwerin, president of the company, at the company's office in New York, cheerfully denied that anything illegal had happened at Vintondale, denied that the justice there held court on company property and told the press:

Hays deliberately trespassed. If he feels that he has a case, however, and he and Untermeyer want to take it to the Supreme Court, we'll go there with them. Whatever means we adopt to keep undesirables out of Vintondale are taken to protect the non-union men in our mines from the Black Hand letters, intimidation, dynamite and threatened invasions of the United Mine Workers and we believe the laws of the state of Pennsylvania uphold us in the use of our own police for that purpose. . .

The principal owner of the company, Warren Delano, of an old New York family, known for its social position and philanthropies, avoided publicity.

Mr. Hays forced the indictment of six of the Vintondale officers and guards but the town remained as unhealthy for organizers as ever and no meetings were possible. Not until autumn, after the strike was over, were the men brought to trial; they were convicted.

Meanwhile Mr. Hays and District No. 2 joined to petition an injunction against the Vintondale autocrats, to prevent their interference with public assemblies. This was a new move in Pennsylvania history. A hearing was finally obtained before Judge John H. McCann in the equity court in Ebensburg, the Cambria County seat, on June 17. Judge McCann exhibited the greatest reluctance:

This court has always felt that the use of an injunction by a court of equity is one of the most flagrant violations of the rights of the citizens of this nation and we should hesitate in any case to grant an injunction or to extend, even if we have the power, the legitimate function of an injunction, which is to protect property. In reading over this bill, if the arguments set forth are true, and they are under oath, there have been flagrant violations of the constitutional rights of individuals to pass freely upon public highways, but, as this court views equity we have no desire to extend the legitimate function of an injunction, even to remedy a great wrong. . .

This court does not want to do something that might cause a breach of the peace and we hesitate to grant a preliminary injunction if we can have the whole thing determined in a short time upon the final hearing.

Then the union's attorneys pressed for the injunction to protect *their* property rights. It so happened that the union still owned in Vintondale a plot of ground, left over from the strike and organization of a dozen years ago. The court room was jammed to the doors with deadly earnest miners; the judge granted that much of an injunction.

Instantly the organizers and lawyers sped to Vintondale and "held a meeting" at 6 o'clock on the union's property. Thirty gunmen, under the company officers' eye, surged up and down the street, making what disturbance they could; it was too much for the Vintondale miners, few of whom dared pause in the vicinity. "I am particularly interested in seeing Superintendent Otto Hoffman present" Hays said, "for no man needs education in the principles of the Constitution, or the fundamental principles of life, more than Mr. Hoffman." Brophy, Mark, Cowan, Welsh and Mayholz spoke; and McAlister Coleman, representing the New York Public Committee on Coal, laid emphasis on the operators' success in publicly denying—denying the unknown facts of coal to all inquirers and denying that the known facts were so. The party left in the blaze of the company's searchlights.

It was well that they had hurried; while they spoke, Justice John W. Kephart of the state Supreme Court issued a writ of supersedeas on a technicality, returnable in Philadelphia. "The lid was clapped on again," said the Johnstown Democrat. A fortnight later when the Democrat's circulation managers went to Vintondale on business: "Hey! What's your name? What youse doin' here? Youse is trespassing" the guards greeted them; when they tried to address people on the streets the guards

shouldered between. It "got on their nerves" and they left.

To this day (August 1923) no meeting has been held in Vintondale. In November, 1922, the Rev. Richard W. Hogue of the Church League for Industrial Democracy and Assemblyman Patrick McDermott of Cambria entered Vintondale and asked Burgess Evans for a permit to hold a meeting. "It can't be done" the burgess shouted; the guards dogged them until they departed. The burgess remains quite correct.

On June 2 began a long series of court actions in Somerset on the question of picketting. Hundreds of men and women were fined or imprisoned by Judge Berkey for picketting acts, ruled to be violations of the injunction. The court proceedings faintly reflected changes in the mining camps, a growing tensivity in the warfare there. The larger companies' determined efforts to resume production had obtained them a nucleus of a few of their old workers and a larger number of farmers and of imported miners. The picket lines became all-important to the strikers.

This stage in a mine strike never lends itself readily to "rules of war" set by a court. Essentially a guerilla affair, its course is determined largely by the temperaments, habits or judgments of individuals, or by accidents. Characterizing one side or the other as uniformly "peaceable" or invariably "intimidating" merely emphasizes the large numbers of exceptions. Attempts by courts to "civilize" the war may be as remarkably successful as are international rules in international war; the significant thing was that in Somerset such rulings were in the hands of one man, without code or jury.

A dilemma early confronts mine strikers: "How shall the scabs be treated? Treat 'em pretty, persuade 'em? Or cut 'em dead, drive 'em out?" The local unions may "decide" on one policy or the other; as a matter of fact,

the individual members do as they feel or as accidents may determine. There will be no unity; a year after the strike began, union meetings in Somerset were still at times debating violently that question. "My son returned to work four months ago; I've not spoken to him since."—"How are we going to get them if we don't argue with them?"—"In our town no union man would be seen standing on the same block with a scab."—"I went to the ball game with four scabs and three promised to quit tomorrow."—"We've coddled the scabs for a year and they call us——; only thing to do is scare 'em out or drive 'em out."—"Boys, remember, violence never won no strike." So went the stormy meetings in May, 1923. Early in a strike, the divisions in a camp may be little more than a kind of social bloc. A lot of the Somerset testimony, from which the court was expected to evolve serious verdicts of "intimidation" reads like an account of fashions, a comedy of manners. The Windber lawyers alleged that John Swanson, who returned to work, was threatened and intimidated by James Gibson. Gibson on the stand explained:

One morning John Swanson passed us, Bert Thompson and I; and said "Good morning boys" and we never spoke. After he passed he said "Go to hell goddamn you."

In weeks and months the social bloc intensifies; individual strikers and individual strikebreakers or guards may be "out to get" each other, irrespective of anybody's judgment. Fights easily get going; then the whole picket line is immediately represented to the court as not peaceable. And on a given morning, with one fight started, the line may turn anything but peaceable.

The picket line is the heart of a strike, in a mine camp where only the highroad is not company-owned, where for a striker to step off, or be forced off, the road means instant lawful arrest for trespassing. The only chance the striker has to see or count or speak to the strike-

breakers is the fleeting moment, morning and evening, when the strikebreakers cross the road on their way to and from the mine mouth. There is time for only a manner and a phrase: "No work tomorrow, men;" or "Don't you know you're taking the bread out of women's and children's mouths?" or "Be a man; be American; why be scared of the boss?" or "Who's keeping your wages up: it's us." With the super and the guards standing by, few strikebreakers will stop to converse; instead some will earn merit by replying loudly: "You goddam hunkey, you go to hell."

The theory of picketting truthfully reflects this dual attitude of union men to strikebreakers; besides being persuasion, picketting is also protest. It is meant to advertise first the existence of a strike, then the plight and the endurance of the strikers, their families and their union. To enforce the protest, women and children frequently take to the picket line, with symbols of ridicule or shame; offering the strikebreakers bread crumbs and pennies "if you're so hard up you gotta work in a scab mine." At one mine the first man to return to work was attended by a striker's wife with a shotgun on her shoulder "to protect the poor feller who wants to work under guard." Shouting "scab" having been ruled illegal, pickets would innocently scratch themselves in the sight of strikebreakers or their children called "cuckoo" in cheery bird-lover tones.

All these overt acts marched solemnly into court, via sworn legal papers, demanding "a rule." At Twin Rocks a tin-can-cowbell band picketted the streets: "Mary Robincsok, age thirteen, Mrs. Ando, basso cowbell, Mrs. Onderko, tenor tin can, Mrs. Berish, double bass wash tub, Mrs. Mugara, cow bell in B flat, Mrs. Mahanchik, pot lid cymbals, Mrs. Korach, artistic dancer"—fourteen in all were taken to court in Ebensburg, fined, and their performance forbidden. In Boswell, when many men

pickets were in jail, small boys and girls with tin horns, led a very yellow dog through the streets, and carried a straw dummy, which they occasionally lynched; "the scabs were getting wild, some quit, then the justice stopped the whole thing."

The Consolidation, on June 2, obtained attachments bringing to court two sets of pickets from Bell: "E. A. Pritts, John Broto, George Wagner, Mike Jermots, Tom Quatro,"—ninety names, mostly Polish, Slovak and Hungarian, also English, German, Italian and Spanish. Carrying potatoes, bread, slate, and clubs was alleged; and calling names, and refusing to disperse at the sheriff's demand. The pickets denied the clubs and rocks. On June 5, the Consolidation added thirty-five women from Gray, alleging that they threw bread and salt; and that Mrs. Codorone fired three revolver shots. The pickets denied the salt, denied Mrs. Codorone shot, "admitted" she was beaten till she bled and admitted that a guard fired the three shots. After hearings, Judge Berkey (June 13) fined all from \$50 to \$100 apiece plus \$25 and \$35 and costs pro rata, the latter to be paid, the fines remitted and all to be put under six months parole. If the parole were broken, Judge Berkey warned, "there's no telling when you will get out of prison." Women's place being "in the home," they were ordered to keep off the picket lines at the mines. (In March, 1923, the Consolidation was still bringing men and women into court for "disorderly" picketting: fourteen from Acosta were put under \$100 bonds.)

To save the union the thousands of dollars involved, eighty men in the Bell and Gray cases went to prison. The Berwind, Quemahoning and Hillman companies fetched so many into court that hundreds of local leaders everywhere were in prison or under bond or parole for many months. A sidelight on what this meant in the

camps is given in the applications for parole; on June 22, for example:

1. The wife of Can Costello is big with child.
2. Pete Synock has four children all of which are suffering with whooping cough.
3. Pete Corradi has four children, their mother deceased, and one girl of 16, with boarders about the house dangerous to her virtue.

On July 3:

Mike Jermon, evicted leaving the wife and five children no protection, in a tent.

John Zapola's family is living in a tent consisting of a wife and three children.

Organizer Hapgood was arrested a dozen times; one charge of picketting at Jerome kept him in jail five days. With George Gregory he had not merely talked to strikebreakers on the road but had shouted "Don't you know you're taking the bread out of the mouths of women and children" to workers on the tippie near the road: that is, their voices had trespassed on company property. Judge Berkey fined them \$500 each, \$25 to be paid down, the rest if they broke parole lasting one year. The same day Hapgood and three Ralphton pickets were fined \$100 each, (\$5 down and six months parole) for having talked from his jitney on the public road, persuading all but two of a gang of strikebreakers to quit; this was adjudged to be "loitering" in a company town.

The sentences were the climax of a determined effort to oust Hapgood. At Harrison on June 24, while picketting J. C. Brydon's mines, he and Michael Dugan were arrested for "trespass, disorder, resisting an officer" by two guards. Arthur Garfield Hays happened to be in the county, immediately started action for false arrest against the guards and freed his clients. At Acosta on June 28, while picketting the Consolidation mines with Stacy May, a visitor from Amherst College, both were drenched by a fire hose which successfully scooped up the dirt in the

road and ruined their clothing; with Pete Mallon, Joe Slifco and John Madoni he kept up the picketting and all but five of fifty-five new strikebreakers quit. At his trial Hapgood stood on his rights of picketting. Judge Berkey said from the bench:

The court feels the presence of Hapgood is obnoxious to the operators and this is more forcibly brought to the mind of the court when we remember that in this town a bucket of water was thrown on him and an official of the court and that in the town of Acosta a hose was turned on him. All these facts impress upon us the strained relations that exist.

In Chambers the judge undertook to advise Hapgood to leave the county. Naturally Hapgood refused. The following Monday Judge Berkey imposed the fines and paroles, totalling a year and a half. Hapgood described his position in a letter, August 1, as follows:

I don't know what we can do in the way of picketting now, with the one man law that we have here. I'd like to put up a fight for our rights by paying no attention to the warning the judge has given us, but the union can ill afford to be involved in further litigation at present. Before nine more days are up I have to decide whether to pay the \$30 on my two fines or go to jail. This decision will be a choice between two evils: (1) not paying the fine, going to jail, and thus being unable to attend meetings and do other organizing work, or (2) paying the fine, and thus spending money sadly needed for relief of hungry strikers, encouraging this and other courts to fine other innocent people for only doing what's right, and giving the operators a chance to tell the rank and file that the organizers "as usual look only after themselves and always get out of the sacrifices that the rank and file make in a strike."

Albert Ramsell, of Jerome, farm owner, miner, and member of the mine examining board, was fined for "loitering" in his home town; Martin Goli told a man who came asking for moonshine "I want no scab in my house;" fined \$50; Joe Viscosky also charged with saying "scab" in the post-office had four witnesses denying the charge to one asserting it; fined \$100; Nick Bucciaralli seized the hand of a strikebreaker who he thought was "reaching back" for a revolver; fined \$200,—so went a single day in Somerset court. It was typical of many.

The union succeeded at times in having some of the guards arrested; four were held at Kelso for clubbing women. A guard, Orpus Tarr, who fired into a crowd of strikers at New Derry on June 11, was held when organizer Soltis got court action. When Alex Marchock, a striker at Jerome, was shot to death one night in August, the guard accused by the dying man was arrested. The Hillman Company made every effort to have the body buried away from Jerome; the union with difficulty enforced the right of Marchock's friends to bury him; a long procession followed the striker's body. The guard, when tried, was defended by the operators' association's chief lawyer, the sheriff's solicitor and attorneys from Pittsburgh; the prosecuting attorney left the preparation of the case to the union lawyer. It was admitted that the guard's shotgun had riddled Marchock's back; the guard contended he had been shot at first; a revolver was found on the ground near the body. The striker's landlady testified: "Alex never had a revolver. He didn't have money to buy bread. We gave him his keep. He had sent his money to his folks in the old country. He was sick. He never made trouble for nobody in Jerome." The company representatives said each guard carried a revolver and a shotgun "because everyone was against the guards;" for the same reason they had kept neighbors away from the wounded man that night. There were no eye witnesses except one striker who said he saw the guard fire both revolver and shotgun; Judge Berkey ruled out Marchock's dying statement; the coal and iron policeman was acquitted.

When guards "got into trouble," many of them had a trick of disappearing. Only the companies had the names of most of these "public police officers;" outrages took place in the presence of many witnesses but next day no culprits could be located. June 14, on the crowded main street of Windber, a Berwind boss, Robert Bailor, driving strikebreakers to the mine in his auto, knocked

down a little girl among a group of strikers' children. When the angry crowd surged round the auto fourteen deputies¹ and coal and iron police tried to clear the street, hammering persons who refused to go inside houses. Then a truck of guards tore through the crowd and hurled three tear gas bombs. "Andy Pribish was so badly blinded by spray from the acid that he had to be led to a doctor." Attempts to identify the guards were futile. A few days later Demitras George, whose poolroom was a sort of strikers' headquarters, found his patrons affected by gas. Fumes from a container left in the toilet slowly spread across the floor. The place had to be closed for two days while George got rid of the gas, following the instructions of a lieutenant who "had met that kind of gas in France."

Were none of the strikers guilty of anything? Were any of the guards guilty as charged? Was there such actual violence that extra policing was justified? We must interpolate what light the meager Somerset County legal records afford. The huge majority of "cases" were before local justices of the peace who were mostly company employees; and most of these cases went unrecorded, unless appealed. The "cream of crime" or of really formal cases came out in the Quarter Sessions of County Court for May, September and December (1922). Analysis of the list of such strike cases furnished to Governor Pinchot's police investigation² shows: total cases eighty-nine; fifty-eight involving strikers, twenty-nine guards. Of the guards two were found not guilty, eight "not guilty but pay costs" and nineteen were guilty. Of the strikers, ten were found guilty, seventeen and one-half "not guilty but pay costs" and thirty and one-half not guilty.

¹ Details from affidavits furnished to Mayor Hylan and to Henry Walnut.

² List furnished by Ross R. Scott, attorney for the union, in the spring of 1923.

That is: of the total of "important violations of the law growing out of the strike,"¹ comparing the clean-cut cases, there were nineteen convicted guards and ten convicted strikers.

The cases against the guards (including one mine owner) included seventeen convictions for assault and battery, four convictions for pointing or discharging fire arms. The convictions of strikers included eight cases of assault and battery, one of riot, one of concealed weapons, one of dynamiting (several youths "dynamited a railway bridge; pleaded guilty: fine \$100 each"). Of the thirty and one-half cases where strikers were acquitted, the unfounded charges were chiefly trespass, resisting an officer, inciting to riot, desecration of the flag, fire arms, surety of the peace, assault and battery. "Prosecutor," or "defendant, a fugitive," (in all cases, guards) was the record in six. The tabulation of tried charges scarcely disproves the statement that most charges against the strikers were "trumped up." And the ten convictions must have been the "serious violence" necessitating the army of guards and, in August, Governor Sproul's soldiers and machine guns.

Outside the Quarter Sessions, some idea of the arresting done in Somerset was to be had from the sheriff. He had in jail through 1922 a total of nine hundred and forty-eight prisoners; "three times the normal."¹ "The strike accounted for the increase, and prohibition enforcement." But as most of the "liquor arrests" took place after April 1, there was some support for the belief that "liquor charges put the strikers in jail when other things failed." Apparently between five and six hundred strikers were locked up, or about sixty a month, in the Somerset jail alone; of those sent there by company jus-

¹ This includes all the cases except a very few, (notably the Rykala rape case). In several instances a "case" includes several defendants.

² Sheriff's letter to author, "Arrested in first two months of strike, one hundred and twenty."

tices, most were soon released by the union's lawyer. But the significant note in the Somerset camps was the "Well, you can't do anything about it," which tailed most stories of "arrests" or beatings.

Outside Somerset the national strike began a sort of crisis in June. "In the third month, things will begin to crack" had been a prediction. On both sides the tension became acute, though "the great public," lulled by the Federal government's assurances, was nearly forgetting a strike existed. On one side, thousands of miners were at the end of their resources, were driving hard bargains for credit and calling on their leadership to "show some signs of life." On the other hand operators were reaching financial difficulties; and the spot price of coal was soaring; in many quarters smaller operators moved toward reopening the mines. The press carried "hints from large interests in the coal industry that the strike was breaking;" folks who sensed the miners' feelings picked up each day's paper anxiously. In Ohio, Pennsylvania, West Virginia and Utah rumbles occurred; on June 22 came the terrific outbreak at Herrin, Illinois—two strikers killed by mine guards and nineteen strike-breakers butchered in retaliation; and the next day in West Virginia two more strikers killed in a fight with guards near Clarksburg. All America stared at Herrin; it monopolized the newspapers. The immediate aftermath seemed exceedingly significant, to detached observers: it revealed the position of the miners' union as stronger, in that vague thing called public opinion, than had been estimated. Herrin was not transferred to the shoulders of the miners' general cause; a "popular demand" that the strike be called off was not the result. Among the operators, fears of defeat really rose perhaps for the first time. A fortnight earlier, operators' journals had published gaily such items as the Pennsylvania employment

bureau's estimate that five thousand of the state's two hundred and eighty-nine thousand strikers had returned to work;¹ and the "prophecies of a settlement conference by June 15," made by the miners' officials² in Districts No. 5 and No. 17, as signs of union weakening. Now the operators' spokesmen sharply criticised the owners for "divisions" and "lack of policies." Many tentatives toward resumption in union fields halted abruptly, after Herrin.

Washington roused; on June 26 President Harding had President Lewis at the White House for a long conference. July 1,—with no printed revelation of its significance,—began the turn in events which insured the miners' victory: the national strike of four hundred thousand shopmen on the railroads. The shopmen's strike finished the coal operators, but it took several weeks for the fact to be apparent. When, on July 1, the President summoned miners and operators to conference at Washington, neither side had great expectations of an early settlement.

The reverberation of that invitation in the strike's rank and file was tremendous; it meant "action;" it meant a sort of "recognition" of the strike's existence; it meant, somewhat faintly, the "public intervention" which, at least, the operators openly opposed. "Key men among my miners had been coming to me," said a philosophical superintendent in a union field, friendly to the union though opposed to the strike, "each offering to get together a dozen diggers. Some of them were officers in the local; they said it was lasting too long and the union highups were doing nothing; I told them to go ahead but I'd wait a little. Then Harding sent that darn invitation. My key men shied off; my pumpsmen that I'd been paying \$5 in anticipation of the wage cut, kicked right

¹ Coal Age. June 1, 1922.

² Coal Age. June 8, 1922.

away for the full \$7.50. Over night they thought they were going to win." Aside from another outbreak at Cliftonville, near Wellsburg, West Virginia (where a sheriff and apparently thirteen¹ others were killed) peace and watchful waiting resumed possession of the old union fields.

In Somerset the contrary. Would there be any attempt to fetch the new-union fields into the scope of the settlement? That question loomed when the Washington Conference assembled. The Somerset operators renewed the energy of their attempts to enlarge production and break up the strikers. There should be "no strike to be settled," if their interpretation could be enforced. The strikers brisked up on the picket lines; arrests and injunction attachments multiplied, as has been recorded; the organizers were bombarded with questions of "District policy for Somerset" and of the international's policy. Strike talk gave way to settlement debate; at this period the district made its final efforts to have the strike complete.

Somerset County proper was pretty well "down:" the union mass meetings, with up to seven thousand present, were rather triumphant affairs, varied with picnics (such as those of five thousand near Acosta on June 26, and of six thousand near Windber). Some operations were still joining the strike; (the Madeira-Hill men at Friedens struck on July 13). Farther north besides Vintondale there were Colver and the Schwab mines blackly producing. With dramatic suddenness between July 10 and 17 the last two operations, employing one thousand, came on strike complete, excepting a few hundred men at Schwab's central mine at Heilwood. It was a phenomenon, even to district organizers. Some of them in other parts of the field related the deep laid plot; how union men had been seeded in those mines; how Welsh

¹ Figures from T. H. Walnut, after his personal investigation. The thirteen were almost all union miners.

had sent out a secret call for volunteers and had planted "live wires," who naturally had nothing to lose, in camps where local men feared to be ringleaders. A difficulty with this theory was that Welsh, and the others named, denied any such thing had happened.

The march of events, rather than neat schemes, explains Colver. Recapitulating the strikes, it could be said that in the first half of April the non-union mines rushed out to be union under a minimum of provocation from the nearby organized districts. The last half of April the mines came out in response to feverish unionizing activities, mainly volunteer, which kept pace with the strike spirit inside the camps and through the determined district activities overcame the greater obstacles suddenly set up by the operators. With the last mines in July it was a case of the preponderant influence, not only of the district, but of the whole union; "the miners are winning" was the word which revived the persistent agitators inside Colver.

Colver (Ebensburg Coal Co.) was the town to which young Di Giacomo had hustled from Jerome on April 15. An imposing array of guards held the place headed by a John Mohalic known as the "bully on horseback." The place was not far from the Revloc district; the strikes there caused a great increase of guards at Colver; nor far from Vintondale; and as agitation invaded that town more guards went on at Colver. Likewise the example of Vintondale's lost strike helped hold Colver back. But in July scouts were buzzing Welsh, at Nanty Glo, close by, that things were ripe; Welsh arranged a mass-meeting on the Rummell farm a mile and a half away. Colver marched there en masse Monday morning, July 10; "Jimmy Di Giacomo told Super Crouse where to get off." The company officers implored the men and offered immediate raises; they started an exciting bonfire, to which the Colver Hose Company turned out noisily, but the miners held their way to the meeting. Under the oratory

of Welsh and Mayholtz four hundred and one of six hundred and twenty-six present joined. Next day Welsh began a series of mass meetings on the Rummell farm, summoning all the neighboring union men, to encourage the "hold outs" among the Colver strikers; over three thousand were present at the first meeting and nearly nine thousand at the next. Not only were all the hold-outs enrolled; the whole show was meant to be seen afar off.

Not far distant were the Bethlehem Steel Company's mines operating under the name of the Penn-Mary Coal Co. in the Heilwood region; the next Monday the Colver performance was repeated at Possum Glory and Tipperary; and Penn-Mary was partly down. The company did its best to checkmate Welsh's plans; he found the meeting places he had leased were quickly posted with "no trespass" signs, company payments being made to the farmer owners. Tents were needed at once; in Colver fifty eviction notices were served within forty-eight hours after the strike; at Tipperary, "Camp Schwab" was a growing canvas community by July 27 when President Maurer of the state federation, Welsh, Stiles and Ghizzoni held a picnic meeting there. That meeting was interrupted successively by company gunmen in autos, by three state constabularies on horses, by a truckload of Pennsylvania state guardsmen and by Sheriff Richards of Indiana County serving an injunction granted to the Bethlehem Co. a few hours before. Last came a troop of twenty-four state guardsmen on horses, carbines rattling and dust flying past the tents.

The strikers were put through the same mill that ground so fine in Somerset. The night of the day Colver struck Jimmy DiGiacomo and his brother Pete were among those ordered to leave town at once. Jimmy saw a lawyer and returning to get his clothes was set upon by the guards who blackjacked him, then "arrested him." One of his friends, John Losko, on the same errand, met

the same reception; thrown out of town, the lawyer he consulted advised "You have a legal right there but the company will arrest or abuse you and the continued effort will be too costly." In Colver evictions went on apace; strikers' cows and pigs were impounded by the company, no food could be obtained at the company store and outside grocers were forbidden to deliver in the town. Deputy sheriffs permitted no inhabitant to circulate after 6 o'clock; men sleeping on their own porches because of the heat were ordered indoors.

Strikebreakers were fetched immediately into Colver and to the Bethlehem mines. As ten negroes were imported at Colver on July 28, four firebosses who had been faithful to the company left town and joined the union; negroes were still being brought in in September and some deserted to the union. Shootings and riotings broke out among the guards and several had to be sent away; some to a hospital, the miners believed, though the stories they told were pretty wild. In courts, injunctions were pressed incessantly, sometimes to the tune of the baldest exhibitions by the judge; especially by one Langham who from the bench assured Superintendent Abrams of Heilwood: "You insist upon running your business according to your own ideas which you have a perfect right to do." As to the strike cards and the Penn-Central News, Judge Langham found "there was no use in saying such matter was not inflammatory;" injunction granted.

The true seat of the "inflammation" would have been a trifle difficult to enjoin; it was in Washington. What the Colver union men argued in this first fortnight of July was a simple matter, running: "The miners are winning; they're settling up in Washington right now; if you don't get in you'll be left out. Last call to non-union mines to get aboard!" The news, every day's news, was "union propaganda" right then; the agitators were newsboys, who added a sufficient dose of optimistic

exaggeration. The thing was in the air again, the April expansiveness. Purely volunteer action took a new lease of life. In an isolated corner of Cambria County, for example, non-union miners at Glasgow sent calls to the nearest union men, Local No. 2092 at Blandburg. Local No. 2092, 'phoning to the district officers for permission to organize, sent a large delegation to Glasgow on July 28 where "Brother Rogers, Brother Mannigan, Brother McMillan and Brother Cavanagh explained that labor's only hope and protection lay in being organized, dealt with the benefits accruing therefrom, laying special emphasis on the moral benefit, and the immediate response morally and financially from all non-union men present was gratifying." Glasgow and other scattered mines climbed on the band wagon.

The close of this chapter must summarize the overshadowing outside events, July to September, attending the settlements in the union fields. The fate of the new-union fields hovered over Washington, then over Cleveland, Altoona, Wilkes-Barre and Indianapolis. Despite the paucity of published fact, the Somerset strikers obtained a fair idea of what happened to them in these cities; it can be summarized here. The background of the conferences, in July, was anything but the optimistic rose painted by the militants at Colver, etc. For the individual striker things were pretty black; July and August were a period of desperate blind struggles for barest existence by hundreds of thousands of individuals, the last twistings and turnings to find credits for food, or beggarly pick-up jobs, where the pennies turned in by the families' girls working in silk mills, in shops or as domestics, or the pity of some farmer, represented all there was in the larder. There are no statistics on the topic, and never will be, but the union men's strike was in the recognizable stage where not only "degradations of the standard of living" were very visible but also the signs of other demoralizations: causeless outbreaks

of men and women, boys up to dare-deviltries, girls down for support to near-marriages. Appeals for aid went out from many union fields; one resulted in an interesting development from the general public. American Friends (Quakers) were withdrawing their immensely effective machinery from devastated European countries; a New York friend of the District No. 2 miners, Robert W. Bruère, put before the Quakers the problem of the miners and the "principle of relief for victims not only of international war but of industrial war." The Quakers adopted the principle, made surveys of the health of women and children in the Somerset and coke region strikes, and set up such relief as they were able to collect. Mr. Bruère enlisted the aid and the contributions of prominent citizens, among them Gifford Pinchot. The principle established was more important than the actual relief raised.

To the individual union striker the closing of the contest was a matter of debts and determination.

It was not the final act which was staged at the Washington conference but the next to the last act of the national strike. The inevitable "conferring for a settlement" began indeed, but the general expectation that President Harding's assemblage of operators and miners would get nowhere was justified within forty-eight hours. Essentially the national strike was simply a contest of power; the White House conference was a first test, a preliminary show down, of opposing strengths. As usual in such tests the argument turned on a side issue; logic (about what the public, the miners and the owners ought each to get out of the coal industry) was not the business of the conference; the side issue in this instance was arbitration. The miners stood pat; the operators offered with the appearance of making a concession, arbitration by districts; the weight of the government promptly fell on the side of arbitration. Arbitration—and there was no question of this in the mind of any operator or any miner—meant reduced wage rates; the series of offers

by the President (to his last suggestions a month later) each centered in arbitration. The first test proved that the miners had a little the best of it; then the government weight against them rather evened things up; and the miners as usual made little attempt to argue the admissibility of arbitration but cast about for a counterpoise. Their move was logical, granted the illogical situation: "if we do have to take government arbitration what can we get in return?" The counterpoise lay ready to hand; it was thrust in by the new union strikers.

For back in Somerset and the coke regions men bursting with anxiety to be included in the settlement, to garner the fruits of "union support," pressed their demands on the miners' General Policy Committee. They represented in urgent form the "non-union question" around which for a generation union coal settlements have turned. Their case was urged by the officers of District No. 2 and the international organizers from the coke regions; by message also. A dozen of the chief Somerset locals sent messages; in David Cowan's territory locals representing three thousand old union miners telegraphed President Harding, President Lewis and President Brophy demanding recognition of the Somerset locals, avowing the union miners ready to strike "for three more months if necessary" for such recognition. President Lewis (with the support of the Secretary of Labor) grappled the arbitration issue by asking the White House if the proposal would include the disputed union fields, that is, the partially union or recently non-union or recently union, especially Mingo, (West Virginia) the coke region and Somerset, and the state of Washington. "Never, never," was the instant answer of operators of these regions, made in the press. President Harding told President Lewis that the government was powerless to force its own settlement plan on anybody. Instead he talked of maintaining present wages for a month; then arbitration.

The miners' formal reply was in effect: "You have

only one-half of the operators from the strike bound fields here; to the other half we don't even know whether you have submitted your arbitration plan; if we accepted, it would assure no settlement to a hundred thousand men we represent; therefore, no such arbitration." A minority of the conferring operators also rejected the plan. The President, professing his disappointment, invited the operators to go home and "resume" operating, under the protection of the governors of the states.

As a settlement move, the invitation was a farce, ridiculed by the operators and scorned by the miners. The visible aftermath was in part farce, in part menacingly serious. Many operators hoisted American flags on their tipples and placarded invitations specifying the old wage rates. Governors ordered troops into strike fields. At some shafts the miners paraded to the tipples, saluted the flag solemnly and marched home grinning. In Pennsylvania, Governor Sproul was taxed with sending the troops into no fields where the union strength was unquestioned but only into the newly organized districts.

The new-union field received a heavy quota of the military; one hundred and ten state guardsmen debouched at Johnstown for Somerset County on July 22; soon they were all over southern Cambria too and the Black Lick,—state troops, cavalry and machine gunners; building barracks, patrolling roads, issuing edicts; one forbidding open air meetings. Their commander was E. J. Stackpole who had achieved some notoriety for his anti-labor activities. A meeting at Heilwood on July 23 was stopped by the troops. It was soon apparent that most of the troopers did not want to do much but enjoy the open air life. The only casualties reported were one killed and six injured when a truck load of machine gunners upset. In a week it was plain that no miners were resuming production. Instead some more small mines struck and organized: Ferndale shaft at

Johnstown quit July 26, sent to District No. 2 and when the militiamen forbade a meeting, marched over the hill and joined the Kelso strikers.

The miners shortly were secretly pleased over the military manœuvre. It fetched unsuspected friends into the open. Central Pennsylvania citizens, business men, fraternal orders and clergy, loosed storms of denunciation upon Governor Sproul's head.

"Within three miles of the meeting place of this committee there is encamped a band of armed men" stormed the Cambria County Democratic committee. "These men have been brought in by the present Republican governor at the behest of capitalists for the purpose of intimidating striking miners and railroad workers." Judge McCann, Professor H. S. Bender, Miss Zara du Pont were among the signers; the best people took to "condemning" military suspensions of the bill of rights by a government "subservient to capital." The miners scarce needed to protest, as they did, to Harrisburg about "militiamen sent into the former non-union fields solely to break men's morale;" Governor Sproul wrote back that the events at Herrin proved the dangerousness of "assemblies." With the troops, he had issued a sweeping proclamation forbidding public meetings.

By August 1 bayonets were worse than useless; the shopmen's strike had cut the West Virginia and Kentucky non-union production to a fraction; steel mills, promising to expand operations, instead shut down; church organizations in the east, state governors in the west, certain editors and Congressmen rather suddenly found their voices. This "public opinion," such as it was, and it was all there was, had significance mainly for what it failed to say. Despite Herrin, despite the rejection of arbitration, despite imminent "freezing," the "public" failed to denounce the miners. Crude ideas, that the industry was mismanaged and that cutting wages might not cure everything, really stuck in people's minds.

The fool public, its wrath rising, was not looking at the miners. And the public gaze seems to be the barometer afforded by our highly scientific social system for deciding our periodic tests of power.

The government having nothing to say, and the operators having too much to say (with less and less of it in any agreement) President Lewis, with private assurances in his pocket from operators representing about seventy million tons, on August 2 summoned the old Interstate Joint Conference to meet at Cleveland. Union operators who now realized nothing was to be got out of the public, sought to re-establish old alliances with the miners. Operator Watkins in District No. 2, for example, called on the union "to change its tactics and line up with the operators to make up the enormous losses." Die-hard operators cried that the union ranks were breaking badly in West Virginia; which was true. Hardly anyone could tell accurately what was shortly going to happen; still less did anybody desire to wait and see.

An accurate history of a national coal strike settlement is a phenomenon still to appear in this country. Of the rapid events at Cleveland, ending with the signatures on August 15, only the larger acts were visible, in the press, to the strikers in the field. The outlines were unmistakable; their meaning to Somerset was appallingly plain—Somerset was left out of the settlement.

Lewis' Cleveland invitation was admirably timed in one respect—it caught the operators at a moment of maximum division; too admirably divided, in fact. Of the four elements of the invited Central Competitive Field, the operators of one, Pittsburgh, dropped out of the conference at once. From the rest, operating some sixty million tons or a bare 15 per cent of the eligible output, day after day brought a succession of jealous secedings from the conference. Operators did not leave Cleveland: they were afraid to; so they sat in the con-

ference lobbies or in nearby cities swearing and yelling "scab" at conferring operators. Their impressive spectacle evoked jeers even from the business press; most unfairly; for the operators were only exhibiting the logic of that "organization" of the coal industry for which they have always heroically argued. Conferring operators were mainly a certain desperate group—Ohio and nearby producers, 75 per cent of whose market lay in the northwest via the Great Lakes. In a few weeks the lakes would freeze; these operators saw their market going, and likely for good, to Illinois and big non-union operators. Other operators at the end of their resources, like T. H. Watkins from District No. 2, perhaps had the secret backing of interests not so desperate as long headed: railroad interests, at that stage of the shopmen's strike, best realized that the game was up, in the miners' strike.

The government, left aside in Washington, exerted no influence to help the conference. The miners traced to the White House and the Secretary of Commerce pressures which they described as "wrecking." The Illinois Operators' Association, when withdrawing from the conference, waved a letter from President Harding about "arbitration as a necessary part of any settlement." Arbitration, it was well surmised, if insisted on, would smash the conference.

For a week the conference organized and broke up, reorganized and disintegrated, each time smaller, each time by process of sub-committees simmering down to one man on each side—for the miners unchangeably Lewis, for the operators first one, then another, last Watkins. Other men fading, the persistent one man loomed; shortly Persistent Lewis *was* the conference. "They had to come to him;" though there were few left actually coming, he held his head high; toward midnight on August 14, when he had left less than 1 per cent of the tonnage he sent the press a list of operators "still

in the conference" who would meet and sign the settlement the next day. It was too late for the reporters to check the list for any "bluffing" it might contain. The papers printed; next morning all operators read; they hung round the conference, they saw operators signing—who they were God only knew—they broke like sheep, fountain pens in hand, and tore for trains home, to start operation and scramble for the market's high prices. (The market immediately went to pieces.) It was a triumph of comparative unity over inherent disorganization.

Comparative unity only; there had come early into the miners' Policy Committee caucuses the question around which they had rallied a little in Washington—the Somerset and coke region strikes. Brophy and Mark went to Cleveland debating two courses for bringing Somerset into the settlement; either (a) that no settlement be made until all mines on strike were signed up or (b) that no settlement be made with coal operators of both union and non-union mines, unless they signed for their strike-bound non-union operations. They chose the former and moved it in the conference; miners' conferences are secret but it seems to be true that they stood almost alone. Neither they nor anyone else moved the second or any alternative course.

From the organizers and from locals in Somerset and the coke regions telegrams demanding inclusion battered at the Policies Committee. All that the strikers saw in the press disquieted them the more. The Somerset organizers held meetings; their backs were up; they would "make the international come across." A traditional device in United Mine Worker politics, for influencing the official family, is to "put an opposition ticket in the field." The meetings of organizers, feeling desperate, telegraphed Brophy at Cleveland for his opinion of an opposition ticket; they received a scathing telegram signed Brophy. They telephoned Brophy, who knew nothing of their wire or the signed reply. The organizers then and there pro-

claimed an opposition ticket on the platform of standing by the new-union men and telegraphed to Cleveland the nomination of T. D. Stiles for President of the United Mine Workers.

This bit of history was somewhat obscured by the dust arising from stampeding operators, signing agreements over much of the land; mention of it in labor papers after a few weeks was hard to find. The enlarging shadow of John L. Lewis seemed to cut off the light.

The national coal strike was won; they had signed the old wage scale. The atmosphere of the settlement table was as far removed from the tent colonies in Somerset as are most diplomatic conferences from the battlefield. Cleveland was full of the air of a great game being played; mine leaders, who in March had expected to lose, who in June had been assured by the visiting president of the British miners¹ "You can't keep war wages; you'll lose, same as we did last year,"—in August, discovered themselves winning; operators' faces were so visibly angry and glum; Lewis' bushy eyebrows and shouldery poise looked so reassuringly conquering. When few were left "he'd said they'd sign; and they did." Editorials called him the greatest labor leader in America.

The press cried after August 15, "the miners win." What was more to the point, non-union operators in far fields promptly announced increases in wages. The steel trust one week later raised wages 20 per cent. The wage-cutting "open shop" era which began with the miners' defeat in 1919 had ended with a bump. The following estimate had much to recommend it as a judicious statement: "the miners had licked more than the government."

In the Somerset and coke region tent colonies the victory was but cloudily appreciated. They were left out. Where was "the outside union that stood by you?"

¹ Herbert Smith of the British Miners Federation who was fraternal delegate to the American Federation of Labor Convention at Cincinnati.

CHAPTER VII

"UNION SUPPORT;" WHAT IS IT?

The third phase of the Somerset strike was a war within a war. The question of union support was fought over with an intensity that made "argument" a misnomer. More than twenty thousand strikers,—nearly a fifth of them in tents and other shelters,—faced grimly the questions, what was to become of them, what was "union support" in that juncture of a strike. Their talk was not in the key of academic discussion. Their wives' and children's needs were vehement; vehemently they were put to the union leaders; the demands were no cause of immediate unity in the "outside union which stood by you."

All had been solidarity before, at least on the surface; the only war was against the operators. "Six hundred thousand miners are striking with you," the organizers and district officers had proclaimed. "They are suffering the same as you, and not weakening. We're all sticking together. All in the same boat. Even us organizers are getting no pay now." (The district had in May followed the precedent, not uncommon in strikes, of announcing that only expenses would be paid to officers and organizers; all would be drawing the same pay as the miners—nothing.) Left out of the "national" settlement, Somerset turned haggard eyes to the union men, whose "pays" had started again.

In the coke regions it was the same. Altogether in southwestern Pennsylvania somewhere between fifty-five and sixty-five thousand miners—or a population of well over a quarter of a million men, women and children—in idle frustration beheld the country's union men vanish eagerly underground.

The United Mine Workers had never before had half so large a problem on their hands. The international union was still not "out of the woods;" in West Virginia, Maryland, Kentucky, Utah, and the southwest, former union operators were refusing to sign; and the entire anthracite end of the strike remained unsettled. The international treasury was heavily in debt.

The following elements stuck out of the Somerset situation. First the desperation of the strikers' families; in the fifth month their plight was everything that the union families had faced in the fourth month, and minus the hopes. A proportion were homeless, or facing eviction.

Second, the wage raises at their mines. Following Cleveland, the non-union operators in many states announced large wage increases to meet the union scale. For a day the pretense, that non-union mines normally offer all that union mines do, vanished in the newspapers' announcements of the increases. The following Associated Press dispatch was typical:

Greensburg, Pennsylvania, August 22.—Increased wages averaging 47 per cent and affecting between 30,000 and 40,000 non-union miners in Westmoreland and Fayette counties were decided upon at a meeting of operators here today, it was officially announced tonight. Included in this group are the H. C. Frick Coal & Coke Co., Keystone Coal Co., Delmont Gas Coal Co., Irwin Gas Coal Co., Westmoreland Coal Co. and Mt. Pleasant Coal Co.

The new scale will embody increases of from 36 to 58 per cent.

The announcement of 20 per cent increases by the United States Steel Corporation, Bethlehem and other steel interests to the workers in steel mills appeared on this same date. As early as the very day following the Cleveland settlement Somerset operators began holding out to their strikers the lure of similar increases. The Berwind-White Co. announced it would pay the union scale, "probably will allow the miners to put checkweighmen on the tipples but will not collect check-off and will run

non-union." Consolidation and other Somerset companies made similar moves. The strikers made an ancient discovery: "they'd raised the wages of the scabs."

Third, the bankruptcy of relief resources in District No. 2. In these weeks (ending August and in September) the district borrowed money for current expenses. From the international's treasury at Indianapolis, Secretary Green sent two checks of \$10,000 each. For the purposes of strike relief or even its beginnings there was nothing. Organizers began to tell mothers asking for a quarter that they hadn't a nickel. At this crisis, when "there wasn't a drop of gasoline left in the union jitney," as a leader put it, wealthy sympathizers among the far off general public sent a measure of rescue. Two young women, Evelyn Preston and Marion Dickerman, of New York, visited Hapgood's meetings in Somerset; beginning August 23 they and their friends, especially Mrs. Willard D. Straight, sent checks for \$25,617; the American Fund for Public Service, Roger Baldwin, secretary, gave \$2,000 and later lent \$25,000. District No. 2 met bills in the same period of \$5,000 for tents alone.

Fourth, the question of district policy, specifically of a strike assessment. Could District No. 2 find any effective plan for Somerset? Would such plan fit with the international's policy? Would the district's miners stand for an assessment for relief? The district officers were bravely declaring in general terms that the Somerset miners would not be abandoned. What could they do; and would the international support them? The doubts, confusions and planlessness might have been enough to destroy the strike in such a critical period. But labor's birthright is to move slow, as slow to defeat as to victory; in the interval a district policy was achieved; this chapter must deal with its fate.

The first task of District No. 2 was to get its own traditionally union operators signed up, in accord with the Cleveland agreement. That took a fortnight of con-

ference, waiting "to see how the country went" and more conferences. The District Policies Committee canvassed the miners' sentiment: would they stand for the costs of carrying Somerset alone? *Could* they, after a year of slack work in 1921, with earnings averaging \$760 to \$850, and a four and one-half months' strike, with its debts? Suppose the mines averaged only two days a week as they had for several years, would the locals pay a relief assessment? The event proved that slack work did continue; that men making from \$15 to \$25 a week had to meet \$3.53 fortnightly assessment. The Policies Committee decided to stand by Somerset and lay an assessment. (A referendum vote and a convention later confirmed the decision.) The next step toward a policy was achieved at Altoona.

After conferences at Clearfield, the District Scale Committee signed the old agreement with the Bituminous Coal Operators of Pennsylvania and the Central Coal Association on August 23, at Altoona. Here the district officers forced through the following reservation (not written into the contract but incorporated in the joint conference proceedings): that operators who owned mines both in the old union territory and in the new-union fields should not be permitted to work their union mines until they had signed up for their non-union. Here was the district policy for Somerset. It could be applied against a few of the operators, mostly smaller owners, who had been dealing with the union in District No. 2 proper, while holding out their Somerset mines. The district determined to keep these operators' union mines on strike until they were ready to bring their non-union operations under the agreement. It was the second of the two forcing policies which they had carried to Cleveland; they had not introduced it after the opposition to the first, less practical, policy.

"If the international had listened to and adopted this policy," District No. 2 argued, "we could have pinched

out two of the big fellows in Somerset." The great Consolidation Co. owned union mines in the Fairmont region of West Virginia, which were quickly signed up by the officers of District No. 17. The Hillman Co. operated union mines in the coke region, where they resumed operation under agreement with District No. 5. "Hold these companies' Fairmont and Fayette mines on strike until they sign for Somerset and all:" such was the plea of strikers in both fields.

Despite Cleveland, Hapgood and a committee from the Hillman mines at Jerome went to Pittsburgh to urge President Fagan to hold on strike the Hillman mines in District No. 5. The session was rather stormy. President Fagan said that District No. 5 had signed with the Operators' Association, of which the Hillman Co. was a member; and that anyway the miners at one Hillman mine voted on the proposition and refused to stay out.—"Can't be very good union men," said the Jerome committee; then the fur flew. Committees from the coke region made no better progress. They pointed to the spectacle of two Hillman shafts within four miles of each other, one working under a District No. 5 agreement, the men at the other left on strike. The coke region seethed with fiery sarcasm about "labor solidarity."

The strike of the Somerset men themselves remained the only weapon against the great corporations,—the Consolidation, Berwind, Hillman and Quemahoning companies. After Altoona they met in convention, seventy-two delegates—from forty-two locals in Somerset, plus four locals in Cambria—representing about fifteen thousand strikers. Their first convention; and the meeting place was the assembly room of the Court House—truly a change since April when the largest gatherings of miners in Somerset town were in the jail. Enthusiasm banished doubts. The new-unionists' delight at going through the time-honored motions of a labor democracy refreshed even themselves; "reg'lar United Mine Workers

at last;" their competence refreshed their leaders. For every town a delegate stood up and reported how things were with his local; how many men on strike; how many scabs, where from; how much distress. All day the reporting went on; two weak spots were uncovered, Johnstown and Meyersdale; but not one expression hinted at quitting. Most of the reports ended, "No work tomorrow, until the union's recognized," as if the phrases were a formally prescribed seal.

President Brophy had sent the operators a letter: "The mine workers of Somerset County, through their representatives, desire to meet you . . . in joint conference. . . Such a conference, we believe, would be instrumental in bringing industrial peace to the coal industry of the country. . . Will you attend?" None came to Somerset. The convention then resolved, "having assembled for the purpose of forming policies of action relating to problems of the newly organized fields," to stay on strike till the cows came home.

Another resolution called for help: "We have been beaten, jailed, starved, thrown from our homes by these inhuman gamblers of profit. . . We are paying to the last farthing the price of industrial freedom and are willing to pay more. . . We appeal to all organized labor for its united and unstinted moral and financial support. . . We have the operators whipped. . . Help us hasten the day when the scab miner will be something of the past.—W. A. Ramsell, chairman; James Pead, secretary; Resolutions Committee." Such the unanimously adopted record; they cheered the speeches of Brophy, Mark, Ghizzoni, Cowan, Brzezina, Boytim, Slifko, McDermott and Hapgood; and went back to tell the tent colonies that relief money, at least, would surely come.

"Let us pay our debts," began Stiles' editorial in Penn-Central News (September 2). "People are hungry now. . . They cannot wait upon the action of deliberate bodies. Resolution sandwiched with good-will and sym-

pathy makes a slim breakfast. . . The entire machinery of the organization from the international to the locals should be set in motion. . . If the strikers can be sustained for the next thirty days the operators will be forced to sign up. . . We invited them to join us. We promised them our individual support. . . They won our strike, and it would be treason on our part to the principles of unionism which we taught them for us to desert them. Only sufficient aid to save our faces does not save our honor. . . These women and children are at your feet pleading. Do you see them? If so, act!"

The Penn-Central, the district officers and local unions, especially at Portage, collected emergency dollars, food, gifts, shoes and clothing. Their count of families in tents and huts in five counties in September was two thousand. In October the first barracks were built; by December \$11,273.31 had been spent for lumber for such shelters. Before much snow came the tents had vanished; on their sites stood rows of hideous, board-and-tar-paper barracks, partitioned into compartments ten or fifteen feet square, each compartment housing an entire family.

The largest, neediest families were moved to union fields. Jobs the district could and did supply at once, with the publicly accorded cooperation of the old union operators. From many towns more than half the population was moved to union fields. Strikers going back to work were still few; many locals reported "not a man scabbing." The sheriff's records show at this time in many towns the resumption of evictions in great batches.

"As the district moved miners out, the operators tried to move miners in;" through advertisements in union fields and labor agencies they campaigned for strike-breakers. One John McCrony, striker at Jasahill, wrote August 29, the situation, as he saw it, in a letter to warn off union men:

We have had between four and five hundred men in here looking for work at Jasahill and we find that most of these men came from union towns in this District¹ that have been misled with some agent of that company telling them that they had signed the scale and had beautiful eight-roomed houses; bath rooms in all houses, good water and light; and rent only four dollars per month. We wish to notify all men looking for work, of the truth. The Jasahill mine has not signed the scale and the houses are only four-roomed houses and no bathroom. The water supply is very poor, and the rent per month is twelve dollars. . . . They keep guards on duty at all times, and on August 28th we had U. S. soldiers¹ come all the way from the camp at Ebensburg with their machine gun truck, and ten soldiers to escort one lone family into the town of Jasahill at Flinton. On August 29th, we were awakened with the State cossacks² tacking up the Governor's proclamation with the big seal on the bottom, and the cossacks were also here to see that the few union men that were out picketing would not be harmed. They are very careful of we fellows. They don't want more than two of us together in case we might start a riot amongst ourselves and get hurt. But we can see the strike breakers and guards with their guns and clubs going eight, ten and twelve in a crowd, but they are good desirable citizens.

Protection, jobs, shelter, strike relief, publicity—these in measure the district was mustering; the last days of August added a few fruits of the most important thing of all—leadership. Under the district sign-all-or-none policy certain operations cracked.

The first was Forge No. 6 at Boswell (one hundred and twenty-five men); the district held the company's union mine near Portage on strike; then the company signed for both. The Bird Coal Co. owners of the non-union mine at Kelso in Somerset found their old union mine near Barnesboro in Cambria held on strike; August 30 the company signed. Board Member Welsh rushed from Nanty Glo with the contract in his pocket, met with the Kelso strikers and together invited the strike-breakers to a meeting at the tent colony. "The very best of feeling prevailed," (so reads the Johnstown Democrat) "and within a short time all of the former strikebreakers

¹ District No. 2.

¹ Mistake for militiamen of the state guard.

² Common term for the State Constabulary.

had joined the union ranks. They then took up the question of electing a checkweighman and James Pead, president of the Kelso local, was named for the position. This morning four hundred men will go to work in the Kelso mines with their own checkweighman on the scales. 'The hatchet was buried,' Mr. Welsh said."

At Carpenter Park, one hundred and fifty men won a contract through a held-up mine. In a few days in Westmoreland County the Fairfield and the Ridgeview mines at Bolivar and in Indiana a mine at Heshbon and two at Dilltown settled; eight hundred newly organized men won agreements in this region while two thousand at eleven mines were left on strike. Progress was being made; lack of real knowledge of the ownership of mines hampered the tactic. The strikers of the Maple Ridge mine at Hollsopple wanted a union mine near Nanty Glo held on strike but the Nanty Glo mine denied controlling Hollsopple and Welsh could not prove the facts. To force in a mine at Salco, a union mine at Coalport was being held up, but without result. Still, things were moving. The international officers were heard from: another check for \$10,000 from Secretary Green; at the stressful settlement convention of the anthracite districts at Wilkes-Barre their word was "Settle so you can help support the non-union fields."

The international officers had had their hands full; first the anthracite operators held out until September for arbitration; then the anthracite rank-and-file showed unexpected distaste for the settlement. "Victory!" one of their leaders¹ told the convention, "It's put up to us as a wonderful painting. They all say it's grand but the closer you walk up to it you see there's nothing on the canvas." The answer of vice-president Murray ran: "This agreement represents the greatest victory in the world, if you please. Now you owe it to the miners on strike in the old non-union counties of Pennsylvania to

¹ Enoch Williams, secretary of District No. 1.

help win their fight." President Lewis added the decisive weight of his voice to that argument. Somerset now hoped for more than district support.

Then came the blow which in the phrase of the district officers, "struck the sword out of our hand." In truth, it was a puny sword, hurting only a few small operators. But the blow had a force out of all proportion; it seemed to symbolize certain disaster. Why? It is necessary to examine the "Revloc case" in detail and relate it to the vital question of union support. Fortunately it is easy to make the examination; for once in the histories of disputed labor policy the case was put publicly; the existence of a labor press in central Pennsylvania was responsible for the exception.

A long editorial by Stiles headed "Revloc's Victory" appeared September 20 in the Penn-Central News. It surprised President Brophy quite as much as President Lewis. It must be quoted almost in full:

Revloc is a small mining town owned by the Monroe Coal Company and has always been a non-union mine. It is in the heart of a strongly organized district. . . Most of the miners there were ex-union men and were only prevented from organizing by the intolerant attitude of the coal company.

When the strike was called on April 1st, the men of Revloc saw an opportunity of freeing themselves from these irksome conditions. Organizers were invited in but were not permitted by the company to enter the town. The spirit of unionism was so strong among the men that they marched out of town, away from the company property, met the organizers and were organized. Board Member Welsh, organizer Maholtz and others gave them the usual promise of support by the U.M.W. of A. It was heralded as a great victory for the union. . .

The same interests which own the Monroe Coal Company own a mine at Nanty Glo, about four miles distant. This mine had always been operated as a union mine. The men at the Nanty Glo mine were jubilant over the organization of their brother miners at Revloc. They unhesitatingly pledged to their Revloc brothers their unstinted support and voted that they would not return to work until the union would be recognized at Revloc.

Up until the time of the Cleveland Conference, the miners of Revloc shared in the common opinion that only a National agreement would be accepted. Accepting the repeated assurances

of the International and District, that individual settlements would not be made, the future looked bright to these striking miners. When the Cleveland Conference failed to make secure the status of the newly organized men, or to provide constructive action that would lead to the recognition of the newly organized men, it did not shake the confidence of the men of Revloc. They were surrounded by union miners who had promised them to stand with them until they had won. . .

On August 17th, the District Scale Committee in a meeting at Altoona, Penna., adopted the following motion: "That no agreement can be signed with any operator unless he also signs up for all mines under his ownership or management who are now on strike in District No. 2." This was a message of hope and strength to the men of Revloc. It fitted their case exactly. . . Was it not being applied in similar cases? Other companies, facing the same situation, had been forced to sign for non-union mines. The interests owning the Nanty Glo and Revloc mines could not well afford to have both idle rather than grant recognition to one. The striking miners gathered in little groups around their tent colonies: talked these things over again and again. . . When work was resumed in the union operations, the mine owned by the same company at Nanty Glo was kept tied up. The miners of this mine repeatedly voted to stay on strike until Revloc was recognized. . .

All was well within sight and hearing of Revloc; but at Cleveland a different scene was being enacted. The policy of the International had been slowly crumbling until, in the last days of the strike, it was merely a pile of dust. Frantic in his efforts to place the National rubber stamp upon a District and individual settlement, President Lewis was appealing to operators to attend the conference. The settlement must have a national color even though it be devoid of substance. His efforts to get representation of a tonnage that would give this conference a National color, had forced him to stoop to a begging position. A Mr. Ball, representing the Weaver interests, offered to enter the Interstate Conference and sign for all of their holdings excepting the Revloc mine. The Weaver interests are comparatively small producers and could add but little weight to the Interstate Conference. But it seemed to be the policy that the rubber stamp must be applied. The Weaver interests were admitted to the conference on their own conditions—and Revloc was deserted. Not by the starving, struggling miners of Nanty Glo, or District No. 2, but by the framers of policy of the International organization.

Here was a conflict of policy between the International and the District. The International had permitted the Weaver interests to enter with their union mines, excluding Revloc. The policy adopted by the Scale Committee at Altoona, specifically declared that "no operator be permitted to sign unless he also signed for all the mines under his ownership or management."

Which policy would be applied in the Revloc case. The striking miners at the mine of the Weaver interests at Nanty Glo answered by emphatically voting not to return to work until Revloc had been recognized. At this point the International showed its hand. President Brophy was summoned to Wilkes-Barre by President John L. Lewis. Mr. Lewis told Mr. Brophy that he had obligated himself to Mr. Ball by promising that the Heisley and Hines operations, (these mines are owned by the Weaver interests) should be permitted to resume work immediately upon the adoption of an Interstate agreement. He asked Mr. Brophy to order the men at the Weaver mines at Nanty Glo to go back to work. Mr. Brophy promised to take up the matter with the District Executive Board. The District Executive Board stood by the policy adopted at Altoona on August 17th, and refused to order the men back to work. The International then carried the matter directly to the Weaver employees at Nanty Glo. They were informed that President John L. Lewis had signed an agreement with the Weaver interests covering all their mines excepting Revloc, and were instructed to order the men at Nanty Glo to return to work. This fell upon the tent colonies of the strikers at Revloc like a bomb from an aeroplane. "Revloc had been deserted by the International." They had been striking for five long months. . . They had been led to expect that the united strength of the organization would give them support and now they learned that at the Cleveland Conference their hopes and their interests had been traded for a hod of coal production, in order that the International stamp might be placed upon a victory that was won by the formerly non-union men of Pennsylvania. . .

Stripped of any pardonable sentiment and placed under the cold eye of analysis, we discover that here is one of the many fundamental defects that are not only limiting the effectiveness of the U.M.W. of A., but actually threatening its very life. The admission of the Weaver interest to the international conference on their own conditions show the weakness and insecurity of the miners at the Cleveland conference. When the International president admits that on the eve of what he styles "A Great Victory" he was forced, with his back to the wall, to accept conditions imposed by such small producers as the Weaver interests, it is prima facie evidence that the settlement at Cleveland was not brought about by the strength of the international, but through the good-will of a group of operators who were friendly to the union. The great victory was handed to us by a group of operators who sincerely believed in the rights of collective bargaining. So far as we are able to learn there was not the slightest justification for President Lewis' permitting Mr. Ball to place him "under obligation" to permit the old organized mines of the Weaver interests to operate and not grant recognition to Revloc. . . But the action of the International in signing with the Weaver interests and forcing their men back

to work under threat of revocation of charter, destroys the effectiveness of the District policy. . .

The arbitrary action of the International in overruling the decision of the District Executive Board and ignoring the desires of the striking Nanty Glo miners, disclosed an insidious danger that should be corrected. No doubt Mr. Lewis will be able to show precedents for this action, but precedent does not always establish right. And in this instance it certainly does clip the wings of democracy. Mr. Lewis may not be responsible for the creation of these dangerous precedents. Neither does he hesitate about using them when they serve his purpose. . .

A larger question looms to the front. Is this the explanation of the International's difference in its attitude toward the newly organized fields of Pennsylvania? In order to provide a protective record, a motion was passed at the Cleveland Conference, promising the International's moral and financial support to the newly organized fields. If Revloc is an example of its moral support, the less we get of it, the better for all concerned. As to financial support, these newly organized fields have received but little more from the International than a promise on the records. Is it possible that there are more obligations between Mr. Lewis and favored operators? The Revloc case certainly justifies the question. Why has the International assessment been delayed? Six weeks of valuable time have passed. It is now too late. Any assessment levied now will only go to fatten the International Treasury. . .

An Interstate Conference was held. The International rubber stamp was applied to the settlement. John L. Lewis made good his personal obligation to Mr. Ball. Who is to make good the obligation of the officers and organizers who appealed to the non-union men to go on strike and join the organization? Who is to make good the obligation written in the constitution of the organization and administered to each of the members as they are admitted to membership? The men who made them have been stripped of the power of redeeming their own pledges. It was a "great victory" but the men of Revloc are asking, "where is our victory?" And who can answer?

Whether Stiles' trenchant editorial had any right to be published in a paper endorsed by the miners' organization, (there was much debate over this), whether his analysis and comment were justified, are outside the field of this study: our concern is with the facts—including the fact of their publication)—and the effects. The central statements were correct: President Lewis issued direct orders that the Nanty Glo miners return to work, under penalty of being thrown out of the union.

This broke the Revloc strike, caused the abandonment of the district policy and had one effect which extended throughout the Somerset field.

The strikers took it as not only belying the idea of union support but as signalling an opposition in addition to the operators. The union miners' national leaders would not support the strike; they might be opposing it; so the talk ran. The talk included the following points of fact.

1. President Lewis had not visited Somerset nor had any international officer. They had not been invited, it was said; Brophy refused to invite them. In the six months of the strike no international organizer had been in Somerset.¹ No statement had been issued specifically promising the international's financial support for Somerset. The operators' propaganda had harped on these facts for a long time past.

2. In the union's official fortnightly organ the Mine Workers Journal the Somerset strike was not only not supported, it was not recorded. Examination of all the issues, April to October, reveals no story on Somerset except a few paragraphs in August and an item from Hapgood in September. Brophy did not make a practice of sending news stories to the Journal. There were several stories devoted to the coke region strike; the Journal quoted officers' praise of the strikers there. In the Somerset field the strikers—whose leaders were telling them that their strike had amazed all union men—week after week read their Journals and found no mention of the amazement. The exclusion had to be explained; with knowing grins the Somerset mine bosses—several had been bosses in union fields—talked their explanation—"politics runs the miners' union; the international never wanted Brophy and Mark elected; Lewis might do something for District No. 5 but he'll cut your

¹ An international organizer stationed in District No. 2 had taken no part in the Somerset campaign.

strike to pieces, same as White and the other Lewis did before him. I've been union, boys; I know." After Revloc such talk increased; "the international" was the handy excuse offered by groups who commenced quitting the strike. "Uh-huh" went the bosses' talk; "District No. 2 is politics also; you watch 'em slide out next."

3. The international had ordered no assessment to raise strike relief. No general appeal for funds went out from Indianapolis. The bosses in Somerset argued: "Sure the district's laid an assessment—maybe it won't be enough—and if the district can, the international can. They don't want to. Too bad, boys, you're good scrappers but you're not wanted. Folks have reasons. Politics, boys." Persons unfamiliar with the weight gossip has in isolated mining towns, especially from the omniscient "super," can hardly realize the effect such words had in Somerset. As to the facts the following were ascertainable:¹ the international sent to District No. 2 checks as follows: July 5, \$20,000; August 9, \$10,000; September 11, \$10,000; October 6, \$10,000; November 6, \$10,000; November 14, \$5,000; December 8, \$10,000; December 19, \$2,000; total \$77,000; total donated, to June 1, 1923, \$107,000.² To the end of December 1922 the district paid to Somerset strike relief \$247,856; to June 1923 the strike had cost about \$500,000.

In November the international announced a general assessment of \$4 payable beginning in December. The district requested a postponement of paying their share; the international refused. The district professed to be in this position: "We can't collect our \$1 a week assessment for Somerset while the international is collecting theirs and we've no assurance that any of the international assessment will come to Somerset." It is scarcely the business of this study to figure out the rules govern-

¹ From the report of Richard Gilbert, Secretary-treasurer of District No. 2, for the period September 1921 to December 1922.

² The international also paid back \$50,000 lent by the District two years before.

ing the allocation of United Mine Worker strike relief. The above represents only the data known to the Somerset strikers and discussed by them.

Keeping this study within its confines—the record of the movement, with the strikers' reaction to events and policies—three things must be added as affecting the question of union support.

First, the resources which the district raised or had donated proved sufficient to meet the needs of strike relief. Support for the barest existence was forthcoming; the relief checks every week through the winter powerfully answered the doubting talk about support.

Second, international organizers, five in all, arrived in Somerset in October explaining they were sent to answer Stiles' editorial. Two of them addressing the Somerset strikers began to criticize the district officers as hostile to the International and to cast doubts on the strike. A hurricane resulted; the strikers and district organizers protested to Brophy; he demanded that the international men be ordered out or put under district instructions. When the district locals began voting in a referendum on paying the Somerset assessment, some of the international organizers publicly urged the locals to vote against it.

Third, when the international officers summarily called off the strike in the coke regions in mid-winter, the Somerset strikers took it as final proof of the realities of union support. The "outside union that stood by you" did not mean the five hundred and thirty-five thousand members of the United Mine Workers but only the forty-five thousand in a friendly district.

The naive new democracy in the Somerset field had molded itself more or less to conform to the established institutions of a set national organization. The institutions had not completely fitted their status. The Somerset part of the democracy seemed to lack machinery for bending the United Mine Workers to its needs. The or-

ganization built up by past strikes for union did not automatically serve the new-union strike.

Within the limits of such union support as they had, meanwhile, the Somerset movement tried out, in a series of raids into the outside world, a tactic for forcing a settlement. The tactic was not new; those early strikes to establish the miners' union had seen the like of it; its spirit was the very opposite of the Cleveland settlement. A sort of early Christian unionism, one might call it.

But the length to which the Somerset leaders carried it, in New York and Washington, was without precedent. The next chapter analyzes it, the fourth phase of the strike.

CHAPTER VIII

THE PUBLIC AS PARTNER

What can strike leadership do, when a strike reaches the phase Somerset entered in September?

The tactic of the companies was plain: to wear down the strikers, quietly; peacefully press them up against oncoming winter; to drive them out, quietly, if possible. Large scale evicting recommenced; the warfare which ultimately removed from Somerset so great a part of the old mining population was pressed home. The companies did not need the company houses but they did need to get the strikers away. The brief sessions on the picket lines they could checkmate; but they could not keep strikers living in one part of the town away from the strikebreakers housed in another part. Determined on the non-union policy, and faced with an equal strike determination, they now had little choice, if they were to win, but to go through with the depopulating process. Evicting might not be pretty, but it need not be public.

To meet such situations strike leaderships generally fall into one of two modes. The leaders can say: "Sit tight; you're wearing out the company's profits. Workers of the world have only to fold their arms and the world must come to them. Just stay at home; quiet." Or leaders may call that the way to lose a strike: "A strike is war; carry the war into the owners' camp; hit 'em where they live,—hit their pride. Be ceaselessly active. It's we who are trying to change things; standing pat is the owners' game."

These two modes or habits have been reflected frequently in coal strikes as fitting two varying dispositions

in leadership. Leaders may be disposed to view the thing on a business basis, with an eye mainly on the coal operators. "Strikes are unprofitable; you owners can't afford it; look how your men are acting; hadn't we better do a little negotiating on the side! After all, we've got to be partners." Friendliness, and inevitableness, are the note.

Or leaders' disposition may be to stand on men's rights, with an eye mainly on the general public: "We've got a right to our own organization,—morally, legally. You people out there who burn coal, it's you we're working for, not the operator. You make the operator do the right thing; we have a right to your help. Our real partner is the public." The note belittles the private coal owner; seems to regard him as not inevitable.

Sometimes union leaders have followed one and then the other of these modes according to the state of the strike. Many leaders stick to one or the other so consistently it might be said the habit has risen to the dignity of a theory of action. The disposition or theory of the Somerset leadership was tested at this stage of the strike; their bent proved unmistakable.

The following analysis and proposal were put to the district officers, through organizer Hapgood, on September 21:

Problem: how to press for a settlement when economic pressure is lowest.

Present position (sixth month of strike):

—strike lost to sight of the public; even in the promoter local Pennsylvania press rare mention of it;

—no motion for settlement by either side or by any outsider;

—strikers standing pretty firm but with sagging morale for lack of any signs of an end; winter at hand;

—coal companies importing sufficient scabs to make a showing of production but short of cars; market inactive.

Economic pressure is low; "even if they have the men, there is the car shortage; and if they had the cars they could run only one to three days a week the same as the union mines; prices dropping."

The operators' first weakness is they are divided. The Berwind-White Co. trains with the Morgan financial camp; the Consolidation Co. belongs in the Rockefeller camp. The latter dominates the Somerset Operators Association; the Berwinds stand alone, outside of the association.

Their second common weakness is that they have resorted to evictions, armed guards and generally inhuman tactics which can be exposed to the public.

Each has a weak point where public exposure will hurt:

—E. J. Berwind, head of the coal company is also dominant director of New York's Interboro transit, which is partly municipally owned, and the city government is hostile. "Mayor Hylan will take any crack at the traction people."

—John D. Rockefeller, Jr. is represented on the directorate of Consolidation. "Rockefeller doesn't want to be picketted for another Ludlow massacre."

Proposal is publicity; not a "general holler" but sufficiently direct to hit these marks. Publicity means, besides creating policy, creating actions, big enough to make news and win the public.

Public actions open to the miners:

1. Hearings before New York City government requesting intervention and investigation.

2. Same through delegation at White House in Washington.

3. Direct demands on Berwind offices (11 Broadway), Consolidation (67 Wall St.), and Rockefeller (26 Broadway) to confer with committees.

4. Picketing company offices and owners' homes.

5. Requests for investigations of the facts made to newspapers, church organizations, etc.

The quick decision of Hapgood and the district officers revealed their disposition to take the public for partner in the coal business. Particularly vice-president Mark, who "had been fighting for twenty years in the mountains against owners a thousand miles away" rose to do something, the likes of which he had often felt needed doing. In New York the miners' friends, realizing that the partner-public did not even know the Somerset strike still existed, prepared to enter the unfamiliar jungle of city and national governmental haunts.

Mark, Hapgood and a delegation of seven, miners and miners' wives, invaded the venerable City Hall in New York on September 26; Mayor Hylan, at the request of Norman Hapgood, chairman of the Public Committee on Coal, had agreed to give them a short hearing before the Board of Estimate (the city government). James Gibson, Joseph Phillips and Mrs. Harry Beal, who had left her six children in a tent, represented Berwind miners; John Tims, and Mr. and Mrs. Albert Armstrong represented Consolidation; George Gregory was there to tell the Hillman miners' case. All were representatives of the evicted; Mrs. Armstrong, expecting a baby, had come on because most of the women at Gray were immigrants, speaking uncertain English.

The encounter in City Hall was a new experience to both parties. The miners stared up at the portentous government, safe on its dais beyond a rail. The government, their hands full of papers, stared down impatiently. They did not know that they were going to listen to those miners for an entire hour.

Each side had difficulty in understanding the other. The miners, launching into what they knew of tent colonies, armed guards, no checkweighmen, no pay for dead work and timber were pained to be interrupted with

questions of whether Somerset was in West Virginia; whether bituminous was hard coal or soft coal; and wasn't the coal strike all over; a checkweighman was the check-off, wasn't it; and "dead work" seemed beyond mortal ken. Mark and Hapgood patiently explained; they handed up photographs and affidavits of what they were talking about; Gibson with a tear gas bomb in hand explained what came out of those things when the Berwind guards threw them last June 14. They argued that their case was New York city business. They repeated what they had seen in the subway train to City Hall, the Interborough's Subway Sun advertising:

The coal and railroad strikes have forced this company to expend more than a million dollars extra for fuel since April 1. The end is not yet.

Their "address to the public" which they handed to the press began:

We speak for the miners who have been digging coal for the city's Interboro subways. We are ready to go on digging it but we can't because our employers have refused for the past five weeks to sign the usual agreement with us. They refuse even to meet us. A coal shortage has been the excuse for inferior subway service. There is no excuse whatever for such coal shortage and we believe the city government has a legal right and a moral obligation to intervene and ensure both adequate service and right conditions of mining the subway coal.

The company which has had the principal coal contracts with the Interborough is the Berwind-White Company of 11 Broadway. Its president, E. J. Berwind, is a director in the Interboro. . . The Berwind-White mines could be supplying coal full tilt to the city subways tomorrow except for their determination to break us. We have invited them to confer with us and they have ignored us. The normal capacity of the mines around Windber, Pa., is 350 cars a day but with the few strikebreakers they have been able to import they are now getting out less than 40 cars a day of coal mixed with slate and dirt.

Principles were no concern of the companies, they argued: Consolidation had signed for thirty-five mines in West Virginia, the Steel Corporation for sixteen mines in Indiana, Illinois and near Pittsburgh, Hillman likewise. "The national coal strike gave us the opportunity of a

lifetime and we joined our cause with that of the union miners. They helped us to organize ourselves."

Here are the two sides of the situation. In New York you have the Interboro being let off periodically from full service schedules because of lack of coal. You have the Berwind-White Company whose business was to supply that coal. To continue to go easy on the Berwind-White Company is to support whatever activities that company is up to in Pennsylvania. Those activities are not coal mining.

What is the Pennsylvania side of the picture? Miners waiting to go to work. Families evicted, every day new families thrown out of company houses. Evicted families living in tents: in the Somerset tent colonies there have been about 1200 families under canvas. Babies have been born in these tents: some have died there. Winter is coming on. . .

That is what the Berwind Company is doing to us instead of getting you your coal. We say we are the victims of gigantic steel and transit corporations who are more determined to crush unionism than to give public service. The same financial interests are behind it all. We wonder if the people of New York are anxious to be victims of those financial powers, victims along with us, or do citizens of New York want to assert their own rights and our rights alongside theirs.

The city has the legal right to ensure that subway service be set above a Pennsylvania union-crushing campaign. The city has the moral obligation to see that the miners for its public utilities are not the victims of slavery or an un-American life. Specifically we ask:

1. That the city government use whatever powers it possesses to see that coal mined for the subway by the Berwind-White Company be mined under fair conditions of labor and that pressure be brought to bear on the company to meet its employees in conference.

2. That the city government meanwhile send an investigating representative or a committee to Pennsylvania to verify our statements.

Mayor Hylan said: "Why shouldn't this man Berwind meet you? Let's 'phone him." The City Controller, Mr. Craig, interposed: a letter would be more dignified; it was really the business of State Fuel Administrator Woodin; he would see about appointments.

Then for a day and a half the miners battered at the City Controller's door for that appointment via Administrator Woodin. Reporters helped; finally a letter was extracted: it was Mr. Berwind's reply to Mr. Woodin "on the labor situation at our mines."

I have taken up the question with our Vice-President and General Manager, who are in direct control of the mines, and I find that the statements made by labor officials and others that we have refused conferences with our employees are both baseless and malicious.

I learned from our operating officials that during the Company's entire history we have always stood ready to meet Committees of our own employees for the purpose of discussing questions affecting either the Company or the men, and that position is not altered today.

During the present disturbance we have repeatedly by circular and signed statements in the public press invited our employees to confer with us. What our operating officials do object to is dealing with any outsiders. The men in New York today who are seeking this conference are not our employees, but are outsiders who have been restrained by court order from the commitment of illegal acts in the furtherance of a conspiracy of intimidation designed to interrupt our operations and the flow of coal to our consumers.

Our Company has a history of more than twenty-five years of uninterrupted payment of the very highest wages in its competitive field, and the fact that it has had fewer industrial disturbances in that time than any of its competitors is the most convincing evidence of the fair treatment of our employees in the past, and the Company's purpose is to continue this policy in the future.

If our employees desire a conference on the subject matter involved they should make application to the proper operating officials, and I can assure you that a meeting will be promptly arranged.

Mr. Craig remarked that "Berwind's attitude was pretty hardboiled, it might take a club to get a conference with him, but the letter seemed to insure some sort of conference." Mr. Mark thought otherwise; (so did the Berwind miners in Pennsylvania who when they read the letter in the newspaper held an indignation meeting, two thousand present, and telegraphed Mr. Berwind about his "carefully worded evasions"). The miners in New York determined to test Mr. Berwind's professions right there: they sent Controller Craig the following letter (September 28):

The delegation of Pennsylvania strikers make the following reply to E. J. Berwind's letter which you handed us today as the first result of the Board of Estimate's efforts to settle up the strike affecting the sources of subway coal.

Tomorrow morning a committee will go to Mr. Berwind's office at 11 Broadway. One member will be James Gibson, for thirteen years a Berwind miner, whose tools are still in the mine at Windber, where he left them when he and 80,000 former non-union miners in Pennsylvania went on strike last April. Another member will be Joseph Phillips, for twenty-one years a Berwind miner, whose tools are also in the mine ready to dig subway coal tomorrow if the Berwind-White Company signs an agreement and quits trying to smash the union.

A third member of the committee will be Mrs. Harry Beal, whose husband, for eight years a Berwind miner, stays these days with their six children in a tent in an open field, their only shelter since the Berwind-White Company evicted them and over four hundred other families.

This committee will test Mr. Berwind's willingness to meet committees of his men for settlements negotiated through representatives of each side's own choosing.

Mr. Berwind is mistaken when he says his company has always received committees. It refused to meet committees. As late as one month ago a committee of five miners tried to see General Superintendent Booker, of the Windber Mines, to get some of the strikers their tools. They were turned away and the management said it would deal only with the men as individuals—even for the recovery of their own property. The company has never permitted committees for minor grievances, let alone for negotiating wages.

Mr. Berwind's letter is mistaken in claiming that his company "has a history of more than twenty-five years of uninterrupted payment of the very highest wages." It has not. It has cut the miners' wages at its own convenience. Its latest cuts were in August, 1921, February 15th of this year, and finally, in April a cut of \$2.50 a day below the union scale. As to "have fewer industrial disturbances," we know too well the reason. The Berwind mines today and for years past have been ringed with armed guards. They are closed towns, where ordinary civil rights have been set aside to keep the union out. Even when the business men of Windber, three years ago, invited the union to organize the men, the Company crushed this effort also.

Mr. Berwind's position is precisely that of Mr. Gary, who stands by his side now in trying to crush the new miners' unions in Pennsylvania.

The Berwind-White miners have been short-weighted, defrauded and oppressed for so many years that six months ago they struck against slavish conditions and joined the union. They are asking the same contract that four-fifths of the country's coal operators have already signed.

The delegation tried by telephone for an appointment with Mr. Berwind; he was "out." Then they proceeded

to the State Fuel Administrator and found Mr. Woodin in his office, the American Car & Foundry Co. Mr. Woodin "personally did not see how any employer could refuse to meet an employee" but the State Fuel Administrator "had no power." He was prevailed on to telephone Mr. Berwind; the delegation sat within six feet of a person who was actually privileged to hear Mr. Berwind's voice. The voice said, "no," many times; but, Mr. Woodin reported, "he will send his vice-president to a conference in Windber if you will apply there. He can't talk to you in New York."

The delegation was skeptical: had he named the vice-president? Mr. Woodin ordered his stenographer to call Mr. Berwind back and get the name. The stenographer got the name; then for five minutes he listened to Mr. Berwind, silently changing the telephone receiver from one wearied hand to the other. "What was all that talk about?" asked the delegation; the stenographer answered, "Why, er, something about running non-union."¹ The delegation inferred that Mr. Berwind could talk, he was just particular about whom he talked to.

To Mr. Berwind the three Windber representatives sent a letter:

A committee representing your miners will be at the Windber office on next Monday afternoon, October 2, as per your promise over the telephone today to State Fuel Administrator Woodin. We understand that you have given to Mr. Woodin's office the name of your vice-president, Henry A. Berwind as your representative at the conference.

They prepared to hurry back to Windber.

Meanwhile the Consolidation representatives had been at work. The Company's president, (they learned it for the first time,) was ex-Senator C. W. Watson; their telegram to Mr. Rockefeller had been answered by Raymond B. Fosdick as director representing Mr. Rockefeller. Mr. Fosdick would see no "officer of the United Mine

¹ Mr. Berwind was seventy-four years old.

Workers;" he would talk to the rest of the delegation (and when Hapgood took Mark along Fosdick consented to remain in the room and talk).

He never saw the whole delegation. Albert Armstrong and his wife were suddenly unable to be present because of the birth of a son. Mrs. Armstrong had wished her baby could be born in a house. It was. "We're getting better care in this hotel than we'd get in the chicken coop we live in at Gray." In honor of their vice-president and their organizer, "who are leading us out of bondage," they christened the "new striker," James Hapgood Armstrong.

Mr. Fosdick made no secret of the fact that wheels in the great Consolidation offices had been buzzing the past three days; Mr. Rockefeller was disquieted, had ordered a personal investigator to the field; "Consolidation is going to do something;" Mr. Fosdick made that assurance with every gesture of sincerity. But they would have to wait awhile.

The delegation (except the Armstrongs) returned to Pennsylvania; progress had been made, they felt; they had dragged the owners into the open, had forced recognition of the strike's existence. The newspapers had printed their facts and one, the World, had promised to send an investigating reporter. As to the promises of conferences, they were skeptical.

Kept in New York, Albert Armstrong¹ didn't see why a miner couldn't look at his boss, no matter how big. Senator Watson he had in mind; if Mr. Fosdick's office meant business they'd get him an appointment; they did; Armstrong's sincerity and courtesy could not be denied. Apparently for the first time in history a striking coal miner, representing grievances, passed to the inner offices of a coal capitalist in a Wall Street skyscraper.

¹ In the intervals of attending his wife and the baby Armstrong wrote the account of non-unionism (in the Appendix). "I'd rather have done a week's work in the mines," was his verdict on his work as an author.

Despite his serious blue eye, Armstrong has a sense of humor. His private account of what took place ran:

I was right up against it right away. Tall hard looking old man, one of the real hardboiled. Says, What do you want? I started touching upon the evictions and suffering the people were undergoing. Don't you think a man ought to be put out when he wont work, he came right back. Showing his type of man. I said if the company were feeling that way about it it was all right but how about these women about to be mothers? No answer. Then what did I mean by telling the newspapers those lies about shortweighting the Consolidation coal loaders? A very general feeling existing, I told him, and that was why the men thought they were just in demanding one of their number be appointed checkweighman.

Did not the company always pay me my wages? I pointed out wages were cut 34 per cent to 40 per cent in 1921 and we did not know of the cut until payday. He was surprised and asked if notices were not posted and I told him *no*. Right along the towns of Gray and Bell stand half empty half the time. Maybe that is because good miners wont work non-union. He said they were producing all right and shoved a long production report at me. I took my time looking at the figures.¹ Not very much Mr. Watson, I says; perhaps not, he says. First round. Even money on both.

This is a very large corporation the old gent said; what I am here for is to make money for the stockholders. I am not familiar with the local affairs. Will have to send for Mr. Lyon to talk to you next Wednesday. I think—fencing for time to see how the Berwind conference goes. I told him why not a conference in Somerset now, between men, us as United Mine Workers, your employees; and the operating officials as Consol. Nothing doing. He said do you want us to scab at Somerset county? I said do you want us union men to scab? I made it plain we were U.M.W. of A. and all we needed to discuss was signing the Cleveland agreement. He said you should get the men to return to work first. Round three: would he meet others and me on Wednesday? Nothing doing. Bell rings. Even money on both.

In Windber that same day (October 2) a committee of ten miners verified the worth of Mr. Berwind's promised conference. No vice-president H. A. Berwind presented himself. General Manager Thomas Fisher and Assistant Manager Newbaker passed the committee to Superintendent Bailor who told them they could apply for work as individuals and the company would deal with

¹ Armstrong was an assistant foreman when he went on strike.

them as individuals as in the past. The committee's answer was prompt; no return to work without a United Mine Worker contract. The Berwind promise was a trick, they charged, to get the delegation out of New York.

In New York Armstrong wired for Mark and Andrew Nymick, president of the Jenner local. They would see how far three could penetrate the defenses of the Consolidation offices. Armstrong's record reads:

We proceed on our weary way to Wall Street. Arrive. Be seated. Names please. Armstrong, Mark, Nymick. Word comes back, bang. Not meeting committees but will meet you Mr. Armstrong. The only thing left, I go in. Round two. The old gent sore about it being arranged that I was to meet them alone. Alright Mr. Watson we will proceed with the object in view. Meet Mr. Lyon. I said I hoped Mr. Watson I made it clear on Monday any meeting was as members of U.M.W. of A. He says I had and slides out to leave Lyon and I to fight it out which we did. He's cold as they make 'em. Asked if the company ever refused to meet committees. I pointed out a case at Gray, August, 1921. The men went on strike claiming the weight was unfair. One Arnold Dowe was the spokesman. He was fired and could get no job under Consol. Mr. Lyon said he did not know of it. Most likely the man was a trouble-maker. Talked of a meeting in Somerset. Refused flat to meet any U.M.W. of A. which left the position as before. I told him so, that kind of meeting would be no use as the strikers were out for the Cleveland agreement and what it stood for. Same as he'd signed 35 Consol mines in Fairmont. Lyon says we had to sign in West Virginia but we don't have to in Somerset. Run non-union there. I tell him his miners there are union. Meeting breaks up. Even money on both.

To reporters the men gave instances of the futility of committees without union protection.

"At Jenner a few weeks ago we sent a committee to get some men their tools," Nymick said, "and were told that no committees would be heard. Now they have shut off the water supply trying to force us to go back. Also the company-paid town constable is going round telling foreign-born miners that their citizenship papers are no good unless they go scabbing. I myself was evicted last week, my wife with a week-old baby in her arms."

Mark recounted a meeting of fifteen hundred Windber strikers the day before where the proposition,—do you

want to go back to work on the company's promise "to treat you as they have in the past,"—was voted down without one dissenting voice. To Mayor Hylan, Mark reported developments in a letter:

E. J. Berwind has broken the promise, made as a result of your intervention, to have his vice-president meet committees of his miners at Windber, Pa. Mr. Berwind still refuses to do what you and the Board of Estimate willingly did—namely, listen to the facts from the miners who know and endure them.

The Berwind mines therefore continue strike-bound while the Subway Sun continues saying that the Interboro has had to spend a million dollars extra for fuel and that the end of these extra costs is not in sight. Mr. Berwind, as chairman of the Interboro directors' Executive Committee, tries to hold the Interboro contract for his coal company and, unable to mine coal, bids for it anywhere, at costs which the city will finally have to bear. . .

We ask that you act on the suggestion made at the Board of Estimate hearing and send an investigating representative to the mines to report to the City of New York what the Berwind Company is up to there, that makes Interboro coal cost so much, what inhuman tactics they are using against the miners and what sort of union breaking campaign they are waging with costs to come back on the city.

The miners moved on to the next step; they announced they would picket the owners' offices, beginning with Berwind. Consol "was doing something," the Rockefeller representatives insisted. Back in Somerset they found the Rockefeller investigator, a man whose anxiety to learn the facts permitted him to consult openly with the organizers and to hunt for a United Mine Workers member, not an official, to talk to Lyon. He found Stiles who for a time functioned as a tenuous link between the district and what was beginning to be called "the peace party" in Consolidation.

Public pressure slowly increased. The New York newspapers occasionally printed the letters of strikers: October 15 the World gave the report of its investigator.¹ Parts read:

A reporter is about as welcome a sight here as a stick of dynamite on a front porch. In Windber my activities are care-

¹ Miss Elizabeth Houghton, whose reports were printed October 15, 16, 22, 1922.

fully watched by scouts of the company. I was stopped on the public highway by mine guards. My telephone calls were listened in on. William Booker, superintendent of the Berwind-White mines, told me over the telephone that I had no right to take pictures of company property. . .

At Scalp Level there are forty ragged families living in the woods. At Salco there are thirty-eight. Jerome, Acosta, Ralph-ton, Jenners, Myersdale, all have tent colonies. Many single tents stand in the backyards of friends who own houses.

Smoke rises from stoves set up under shanties made of oil-cloth and chicken wire. A family of nine often lives in one army tent (supplied free by the union) plus a kitchen of this sort. . .

A cow or a sewing machine or a Ford with tires carefully wrapped in burlap sacking is sometimes in view as the prize possession saved out of the wreck. The Fords I saw all belonged to unmarried men who could not afford to take out a 1922 license or buy gasoline. The owners said they were unable to sell them because no one would give a decent price to a striker. . .

Forty families were ordered evicted in one day last week by the Hillman Coal and Coke Company of Jerome. . .

The water supply has been cut off and owners warned to get rid of strike boarders or lose their jobs with the company, according to presumably disinterested observers of the struggle.

The companies, forced to go outside the district to recruit their labor force, are paying above union wages for green men. It is estimated that the casual shifting labor force now being brought into the Somerset fields, where much of the coal is difficult to get out, can produce only one-fifth of the daily output of the regular force, or about one and one-half tons a day per man instead of seven and one-half. . .

At Scalp Level a woman with a baby in her arms and gingham handkerchief over her head was sitting in the doorway of the first shanty crying. The baby was eating bread and lard. Four little blond Hungarian heads peered out from behind as we came up.

"Fifteen years I lived in that house," she sobbed, pointing across the fields to a row of typical gray company dwellings. Her husband, a tall, patient looking man in a khaki army shirt, spoke to her and she stopped crying. . .

The children were barefoot. The leader of the colony told me that out of ninety children of school age, twelve actually attended. "The truant officer come, he looked at their feet—he go away agin," he summed up. . .

The boys all wanted to know if Babe Ruth was batting well this season and whether the Giants would win. . .

"Three hundred children of miners are being given one supplementary meal a day by the American Friends' Service Committee. We have received \$3,000 for this from the operators," said W. K. Thomas, Secretary, today. . .

"Praying George" Gregory, a Welsh miner, now President of the Jerome Local of 800 men, was taken to the hospital yesterday after a fight with mine guards in which he received a blow with brass knuckles. . .

F. R. Lyon, Vice-President of Consolidation, said: "Public opinion has no bearing on our policy in the strike. Local public opinion, in favoring the strikers, of course, makes the operators' fight harder. . .

"The strike is over as far as the production of coal goes, although as long as a number of our former employees are present precaution against violence must be taken."

The public in the east was rousing a trifle; sympathetic organizations arranged a public meeting or two; the miners' friends after three weeks effort elicited from the city government the appointment of an investigating committee.

On a bright autumn noon (October 17) lower Broadway stared a bit at a wonder which lasted a week; miners, in twos, wearing their old caps with lamps, were picketting the Berwind office. Mark had brought six to the city: Mike Kollgo, fourteen years in the employ of Berwind, and Mike Fazeks, nine years; from the Consolidation strikers, Joe Kopchek, seventeen years employed, Joseph Rose, eight years employed, evicted May 8 with wife and infant; George Wagner, three years employed, served twenty-three days in jail for violating injunction; Tom Komisky, fifteen years employed, evicted September 30 with wife, six-weeks-old baby and four other children, now in tent. The pickets carried placards, labelling them "Miners of subway coal;" one read:

M R. B E R W I N D—

PUT OUR WOMEN AND CHILDREN BACK INTO
HOUSES

TAKE YOUR ARMED GUARDS AWAY FROM THE
MINES

20,000 P A. MINERS ON STRIKE—
EVICTED FAMILIES—

PROTEST AGAINST INHUMAN TACTICS

of
B E R W I N D—W H I T E C O A L C O.
11 BROADWAY.

All day long the pickets handed out a leaflet history of their strike and answered interminable questions on the coal industry. Another day the placards were statistical:

WHO'S GETTING RICH ON COAL?

UNION MINERS GET \$1.28 FOR DIGGING A GROSS TON.

WHAT DO YOU PAY A TON IN NEW YORK?

WHAT DOES BERWIND MAKE—

TO PAY FOR HIS MINE GUARDS?

UNION SCALE IS ALL WE ASK FROM BERWIND.

The first picket was arrested; Arthur G. Hays heard of it, got him out and Mayor Hylan's police ceased to bother. The miners were careful of the New Yorkers; they could not be induced to light up their carbide lamps: "The flame is hot, somebody might touch it." Sympathetic women pickets joined the line, representing the Machinists Women's Auxiliary, the Women's Trade Union League and the Civic Club. An old tall gray man spoke to picket Wagner: "I see, I see, you ought to go back to Pennsylvania." After him a little man snapped: "Know him? That's Mr. Berwind, the man who's holding you out."

Across and up the street a hundred yards the windows of 26 Broadway commanded the picketting in front of No. 11. The pickets failed to cross to Mr. Rockefeller's office; they held off also from the 67 Wall Street office. Reporters there learned that directors' meetings were lasting long; and messages had come from Somerset. One day Mark heard the meetings had adjourned; he ordered forth a picket with a new placard. At that moment a telephone message arrived,—via a woman,—that directors were meeting again at 67 Wall. The placard, which never reached its destination, read:

ROCKEFELLER'S
CONSOLIDATION COAL CO.
EVICTS MINERS—
USES ARMED GUARDS—
SOMERSET MINERS PROTEST
WE DON'T WANT ANOTHER
LUDLOW

The press said that "Mr. Mark declined to comment on the failure of the miners to carry out their threats of picketting 26 Broadway and concerning the reported directors' meetings, he referred inquirers to the Consolidation offices."

A block away from the Metropolitan Club, the corner of Fifth Avenue and 64th Street is occupied by a five-story house which the newspapers described as "a palatial home." The pickets broke out there with a placard:

JUST LOOKING AT MR. BERWIND'S HOUSE
WE—HIS EVICTED COAL MINERS—
HAVE TO LIVE IN TENTS AND CHICKEN COOPS
SUBWAY COAL DIGGERS,—
SIX MONTHS ON STRIKE

The New York Call (Socialist) quoted picket Kopchek: "The boss lives better than we do. The tent colony at my mine would go into that house and every family could have a room." The butler warned reporters at the door that "the master would be very angry." Accounts of the picketting in the general press seemed rarely able to break the confines of short paragraphs, very matter-of-fact; reporters, up to sixteen a day, continued to haunt the picket lines, several remarking they "had written a long story but—"

Organizations, especially of churches, were now asking the coal owners many questions. John D. Rockefeller, Jr., the newspapers noted, had arrived in Battle Creek, Michigan, from the east, to improve his health. The city government voted the subway fuel investigation.

Hapgood and Stiles, arriving to speak at New York meetings, reported the miners in Somerset much wrought up and talking of starting marches to Washington. By telegraph and telephone Mark commenced the long effort to get an appointment for the delegation at the White House. Secretaries at the end of the wires "didn't understand," later they "would see," finally they "referred to the Labor Department." From the Labor

Department a wire arrived: "Our representatives already handling at Indianapolis. However in absence of Secretary Davis, director of conciliation will be glad to see you." The miners puzzled greatly over that wire.

Into the tense situation word came from two quarters: Consolidation had decided on a new policy; and operators were assembling in Somerset. Mark decided to follow the shifting battle; with the pickets, he said goodbye to New York, thus:

A strike which has lasted seven months made it necessary for us to use unusual methods in order to rouse the attention and the conscience both of those in authority who might have a desire to intervene in Somerset County and of those who were directly responsible for conditions there. . .

We are frank to express our belief that the results of any fair investigation should lead the New York City Government to lay down the following policy for the public utilities partly owned by it:—

That a steady supply of good fuel, mined under American conditions, is possible only where operators and miners have arrived at a union agreement.

A few days before Mayor Hylan's committee set out for Pennsylvania, the press of the country published the letter from Mr. Rockefeller in Michigan, which represented the only deviation from the Somerset operators' position. It was a telegraphed reply to F. E. Johnson of the Federal Council of Churches: it spoke of "the moral responsibilities of stockholders" and said: "As a minority stockholder, I have no legal power, even if I were so disposed, to dictate the policies of the company."

In this special case of Somerset County, Pennsylvania, I have not hesitated to accept my personal responsibility or to record my own position. This I have done directly and through competent representatives. I believe that the underlying grievances of the miners in this district are well founded, and I have urged with all the sincerity and vigor at my command that the present labor policy of the operators, which seems to me to be both unwise and unjust, be radically altered.

It is my understanding that the operators in the Somerset County coal mines have hitherto denied their employees all voice and share in determining their working conditions, and any adequate machinery for the uncovering and adjustment of

grievances. The day has passed when such a position can justly be maintained by any employer, or group of employers, in a country like ours. I have long advocated, and never more earnestly than now, a labor policy which concedes to the employees in every industrial unit what I believe to be a fundamental right, namely, the right to representation in the determination of those matters which affect their own interests.

It concluded by quoting Mr. Rockefeller's statement to President Wilson's industrial conference in 1919: "Surely it is not consistent for us as Americans to demand democracy in government and practice autocracy in industry."

The press commended. At least one editorial¹ wished "he had made his influence felt before the strikers threatened to picket his New York office." Critics noted that Mr. Rockefeller, according to published lists² owned about one hundred and seventy-six thousand shares or 42½ per cent of the stock of Consolidation; and that the letter said nothing as to anything he proposed to be done. Miners declared they knew the "Colorado Rockefeller plan too well to take any chances with that sort of thing." The "peace party" assured "the new plan does not bar out the union." In Somerset operators met, embattled among themselves; when a reporter got to pressing there, they adjourned to Baltimore. By so doing they also avoided contact with Mayor Hylan's committee now in the county and holding hearings.

Mayor Hylan's committee spent five days, ending October and beginning November, holding hearings, inspecting a mine, visiting tent colonies and barracks and conferring with judges and police. Before they arrived in Windber the Berwind-White officials offered them a house; which they refused. At first not an officer of District No. 2 was on hand; then organizers Hapgood and Foster jumped in to make effective the cooperation which the union had promised to Mayor Hylan. General man-

¹ The Nation. November 8, 1922.

² E.g. in Henry H. Klein's "Dynastic America." p. 93.

ager Fisher and general superintendent Newbaker immediately refused to have anything to do with any public proceedings, while offering the committee information in private. The committee, to the gratification of the half dozen reporters present, declared for open hearings; the union hall was accepted as the only available meeting place in town. The Berwind officials denounced the committee as "prejudiced." The miner-witnesses thronged the hearings; at a single session John Lochrie and D. T. Price appeared "not as operators but as citizens" protesting over the meeting place. Mr. Lochrie, it developed owned a hall in Windber and offered its use; but the committee on adjourning to it found its doors locked.

Curious things happened. Members of the committee complained of being shadowed, day and night, declared their letters had been opened and resealed at their headquarters in Johnstown's biggest hotel; and the chairman said his baggage there had been ransacked. Reporters and photographers said that persons followed them who claimed to be reporters but who "couldn't remember" when asked suddenly what paper they represented; persons who ducked off frequently to do telephoning but who "didn't know" the location of the big Berwind-White offices in Windber. One reporter's¹ notes read:

Citizens and strikers keep saying: "The guards are gone. Two days ago when the papers had it about the Committee coming they up and left. Used to see their uniforms all about—now gone—all at once."

Spotter watches me eat in Windber. Another, a Greek, black brows, in Johnstown stands outside any door I go in; stood once for two hours in the cold.

Superintendent Newbaker gave me his statement in the Windber Era "there have been no evictions by the Berwind-White Co. for some time" as correct. In street I found an Italian almost weeping over eviction notice to Luigi Gellardo, 17th Street, to leave five days hence, November 2. Said "Twenty-five years I work for company, now I no work, must get out, no place go." Returned to Newbaker with Committee; asked about Gellardo. Newbaker said under special circumstances they

¹ For the Survey.

evicted and didn't I think it was right. He denied they owned any houses on 17th Street. "Yes you do own some shacks there" bystander called. Newbaker said he'd investigate and asked me to return. Came back twice; Newbaker "out."

Visited mine outside Windber. Strikers pointed out guard's house. I asked, "A woman tells me sixteen of you guards were laid off this week; is that so?" He said, "We're coming back. And she was disloyal to tell you so; who was she?" Inside another was telephoning: "Mr. Bailor, there's three automobiles going down the street here at No. 35. There's union organizers in some of them. All right, I'll keep you informed."

Sergeant George Freeman of State Constabulary says that no arrest of any striker by them has been for violence. He goes unarmed.

Newspapers in New York and many other cities from October 29 to November 3 carried the hearings' revelations of the strikers' complaints and conditions and of the company-owned houses, store, newspaper, land, light and power, water supply and politics in Windber. Chairman Hirshfield's report, thirty-five pages, summing up the grievances of miners and of New York citizens, and giving photographs of tents and shacks surrounded by bare-foot children, was widely published in the press in December. It cited some of the facts of wages, coal costs and coal prices to the city's transit and in rhetorical phrase denounced the Berwinds as "heartless barons and pharaohs whose miners were kept in bondage worse than the serfs in Russia or the slaves before the Civil War. Mr. E. J. Berwind, the multi-millionaire traction dictator, buys from himself, the fuel czar, coal upon which are engraved stories of sweat, sorrow and suffering." The report cited Berwind's profit, on seven hundred and seventy thousand tons sold to the Interborough transit at \$7.35 a ton in 1921, as \$1,617,000, and figured "the company's profit for 1922 will be at least \$2,500,000." The report¹ supported Mayor Hylan's political demands for public ownership of coal mines.

Before leaving Somerset County the committee had publicly offered its services as mediators. The Somerset

¹ Issued as a pamphlet by Commissioner of Accounts, New York City.

Operators' Association, still engaged in subterranean civil war over "the peace party's plan" adjourned silently to meet in the east. Operators from the coke regions and non-union West Virginia had entered the sessions to denounce the peace advocates as "scabs."¹ To citizens in New York the Rockefeller representatives renewed their protestations that "Consolidation would go through with its new policy, though only one company (the Davis Coal & Coke²) would go along." When organizer Hapgood, (who almost alone of the miners—or the district officials— kept outside sympathizers in touch by letters,) wrote that Consolidation still pressed evictions and was cutting off the water supply to home owners sheltering the evicted, the Rockefeller directors replied that they were "putting a stop to all that and public announcements would be made soon." A copy of the new plan found its way via Stiles to the district officers; its worth was seen immediately to depend solely on one thing—whether the company intended good faith.

Somerset operators, still violently disagreeing, were reported to be in Washington. Once more vice-president Mark returned to the fray in the east; with Cowan, Gregory and Kintner, the union's attorney, several miners and their New York friends, they attempted a last drive to bring about "public intervention" sufficiently weighty to lead to a settlement. They drove straight at the White House from November 14 to 20 for an appointment with President Harding.

To understand the complete defeat of this final delegation several factors must be borne in mind:—

First, the onset of winter had had its effect on the strikers. Coupled with the ruthless wholesale evicting—about one-third of the total evictions took place after September—with the other coercive measures and with hope deferred, winter had decimated the ranks. Mark

¹ Confidential statement of one of the operators present.

² Controlled by the same interests as Consolidation.

reported the strikers in a minority at most mines in November, (ninth month), whereas they had been in a majority at all, five weeks before. Strikebreakers steadily grew, largely recruited from farmers. Often the number of strikers who had left, chiefly for the union fields, totalled more than half. At Jerome for example, "of nearly eight hundred strikers in that local¹ only one had returned to work up to September 30; by November eighty had gone back, four hundred had left, leaving two hundred and eighty to three hundred strikers around the mines." Strikers had come back from certain union mines spreading dispiriting reports that conditions were bad there,—slack work, overcrowded, no pay for dead work. "Men were anxious to find excuses for themselves; morale was not what it had been." In spots the old spirit flared; in October some new-union miners, without an organizer even knowing of it, had gone out and pulled small non-union mines on strike. Slack work, poor market and car shortage continued.

Second, Congress had adjourned. The "public" in Washington meant the President only. The miners, of course, like the rest of labor, have no Congressmen directly responsible for their interests; among the few left in Washington the delegation could find no spokesman.

Third, the Administration had opposed the miners. President Harding had told the country that it lay "at the mercy of the United Mine Workers." As early as October, 1921 and November 1921, President Harding and Secretaries Hoover and Davis had told the Mine Workers' leaders that they would have to take wage reductions; so President Lewis and Vice-president Murray had informed the Wilkes-Barre convention. In six conferences, one lasting five hours, President Harding and his advisors, before the strike, had demanded the acceptance

¹ Including about two hundred miners from smaller places near Jerome.

of reductions through arbitration. Ten days before Mark's delegation sought the White House, the Administration had been defeated in the Congressional elections, partly by railroaders' and miners' votes.

Mark and his miners, then, found out exactly what happens to labor lacking political power. The President does not have to see, even for five minutes, the representatives of workingmen; he need not look at a memorandum from them; so the miners discovered. In six days the delegation trudging to the White House got as far as the President's second secretary. They thought it a comparatively simple matter to exercise the right of appeal, to tell the President the coal strike was not all over, to inform him of the hopes for settlement. The President did not want to see any miners; the process of his denial was simplicity itself. By the 15th the second secretary had promised to take it up with the first secretary and telephone results. He did not telephone. On the 17th he promised emphatically to put the miners' memorandum before the President; he would telephone; he did not. The White House press crew, coming from their weekly conference with the President, remarked "he hadn't done a thing to make a story." On the 18th the President was still "too busy" to reply to the memorandum. The delegation watched the President start off motoring. The second secretary referred eagerly to the Labor Department. A powerful senator asked the President to receive them; the secretary would telephone on the 20th. He did not. Mark once more learned that the President was "busy."

The memorandum requested the President at least to ask the Department of Labor to send mediators under orders to report back to him. The miners called at the Labor Department, which on its own initiative ordered three mediators to Somerset. They asked Mark two questions:—weeks before they had taken up the Somerset

question with the miners' international office at Indianapolis "and had been told to wait, they were dealing with the matter and no action was necessary;" why was that? Mark did not know. The second question was; they had been told that District No. 2 was not in harmony with the international policy; was that correct?

Long after, an international officer declared that "Brophy had never asked the international to do anything about Somerset, at Washington or anywhere else."

The long effort of the Somerset strikers, to make effective the public sympathy they had aroused, ended. The action had been pressed to a height where only big voices, nationally known spokesmen, would have been listened to. The miners found no such voice; no answer was necessary from the republic's accredited chief.

There remained nothing but to observe certain antics in the realm of economic government. They bore watching, though a trifle hard to see. "Consolidation's plan for industrial peace," adopted now by Davis Coal & Coke too, elaborated¹ at such length behind the scenes, was long overdue for public appearance. "Orders have been issued to Mr. Lyon and he will obey them like the good soldier he is;" that had been the last private assurance from the New York offices. Appearances in Somerset began in mid-November.

The first were individual or "yellow dog" contracts on the notorious West Virginia model. "To preserve to each individual the full fruits of his own labor," the contracts ran, the signer agreed to have nothing to do with labor unions. Consolidation, the strikers learned, had circulated these among the strikebreakers demanding that all sign them. Next the word went round in Somerset that the contracts had been ordered withdrawn.

The second appearance consisted of a two hundred-

¹ The plan was the work of George Anderson, industrial counsellor, who had made the personal investigation for Mr. Rockefeller and who was completely opposed to the Somerset operators' practices.

word leaflet, printed in English, Spanish, Russian, Italian, Hungarian and Polish, distributed among the Consolidation strikebreakers just before Thanksgiving Day. It listed "employees' committees, two commissioners, a joint board and an umpire;" these to be set up "for communication" and "to promote and maintain a spirit of cooperation between the operator and the employer." Strikebreakers told the strikers "there had been some sort of meetings" and "they had elected some fellows." They didn't know much about it. Hapgood and the strikers out in the barracks asked New York if the leaflets and meetings were "the settlement." If so, the settlement plainly was not meant for miners on strike. They inquired further among the strikebreakers. Strange: the elected "employees' committeemen" were mostly persons hitherto named by the strikers as "spotters," "scab herders" and "gunmen." Of the four at Gray mine Armstrong reported: one was a labor recruiter for another company, recently employed by Consolidation; another "an agent to get strikebreakers" from the start of the strike; a third, a Gray miner, "I always thought was a company spotter." A striker who tried to attend the "committee election meeting" was barred out by a deputy sheriff.

At more than one mine the strikers encountered armed guards who had boasted of being deputies, and who now paraded as "committeemen." From Boswell, November 26, Hapwood wrote that the two chief Rockefeller committeemen there were the brothers Sadowsky who had been carrying guns, serving eviction writs and harrying strikers all summer. "This seems to be the start of what Anderson and Fosdick call a settlement. If the settlement does not go any further than this, it will be only the scabs that will benefit by the fight the union men have put up. I'm not sure that it will be a benefit for them, however, for the companies will have the men under control under this new 'Rockefeller plan,' "

The New York World (December 5) printed the strikers' verdict—"the thing is simply a moral alibi for the Rockefellers,"—and the explanations of a director of the company (Mr. Fosdick). He thought the "yellow dogs" must be the work of "some hardboiled official near the bottom;" the "company should not be criticized" for a step in the right direction "even if it did sidestep the issue." He "admitted that the plan 'was an employers' plan, handed to the employees' and that it was not a contract. Asked if there was anything to prevent the company abolishing it at any time he said: 'No reason, except the weight of public opinion.' Reminded that a vice-president of the company had said, 'Public opinion can have no weight in this controversy' he replied that if the company had any ulterior motive it would not have applied the plan at all, since it was in no need of labor at the present time."

The director admitted it was "theoretically true" the plan would not benefit the strikers; but asserted, "whether the company realized it or not, the men were now in a position to organize from the inside, the machinery having been formed for them."

The company had "realized it;" a few weeks later the "peace party" privately admitted the facts and pleaded they "had been sabotaged by their own officers." The field officers saw to it that "the machinery" provided no cogs for unionism. The Rockefeller representatives during the winter, spoke of "good" and "bad" directors, some of whom "had beaten" the others. An editor¹ put it: "Perhaps one reason that the Consolidation officials felt free to man-handle the Rockefeller plan was because they suspected that subordinate officials and friendly officers of the state had done that very thing successfully in other mines—in Colorado, for instance."

But public attention had died down in the long interval of Consolidation's secret assurances of "peace;" no

¹ Norman Thomas. The Nation. December 20, 1922.

public answer had to be made to charges of "a moral alibi for the Rockefellers."

As late as May, 1923, at Boswell where an observer could count a majority of the company houses in the town empty and boarded up, and could tally but eleven cars of coal a week, from a mine which used to produce thirty a day, the strikers pointed out a curiosity. A printed placard bore the terms of the Rockefeller plan and beneath it the signatures in fac-simile; first A. W. Callo-way,¹ president of the Davis Coal & Coke Co.; then, for the employees, William Sadowsky, gunman, assailant of organizer Romese on April 18, later convicted of assaulting Rode Rusnor, striker, and sentenced to a year in prison (the company appealed the sentence and got it set aside). No one in Boswell had ever heard about "joint boards" or "umpires."

The strikers' attempt to take seriously the public as partner in the coal industry and to rouse the partner to speak up, dwindled to an end. Certain criticisms were obvious: the district never got round to establish in the east committees of miners who might have converted the raids into a steady campaign. Those units of the public-partner who helped actively had to rely, for keeping in touch with the miners, on the letters Hapgood and the Penn-Central News office managed to send. The official forces of most unions are built economically to the scale of peace time business; they get swamped by the multifarious demands of modern war.

Certain general observations are possible. The tactic, in the first place, had its core in the *total* of pressures, from many angles, in many places. It came nearest success when it had created a general atmosphere of "this thing will not down until it's settled right." The operators feared that newspapers, civic organizations, churches, various governments, in round after round of investigations and public acts, from holding meetings to abetting

¹ An ex-senator, like Senator Watson of Consolidation.

pickets, would crowd them to the wall. The Consolidation escaped by keeping things quiet, "postponing" the public announcement of what they proposed to do, and wearing out their critics, while the peace party in all sincerity made the promises.

In the next place, the venture proved that it took very few people to stir up this surprisingly extensive and various public support. Perhaps thirty persons in New York, most of whom never saw each other, took time off from their own affairs to help the miners set things in motion.

Finally, the weakness of the tactic lay in its second stage. All the public opinion there was, fell pretty unanimously in support of the miners' grievances; it was not unanimous about the organization which the strikers had joined. The United Mine Workers has some public questions to answer. In the final chapter, these questions loom larger.

CHAPTER IX

DILEMMAS FOR DEMOCRATS

Two very dissimilar pictures composed the fifth phase of the Somerset strike. The barracks made one—the snow-buried lost little lines of sheds, crammed with families, where the strikers had dug in for the winter—an exhibit for those who fancy heroism, wherever found, winning or not. The other spectacle was the strike leadership going to pieces amid resounding splits,—splits between the district and the international, then splits within the district,—the sum total answering quite fully the “question of union support.”

The long-drawn-out last phase, while marked by few events inside Somerset, saw an extremely rapid succession of outside developments, which determined the fate of the strike. First, the strike was submerged by the United Mine Workers general elections. November was campaign time. “Regularity” throughout the United Mine Workers was at a premium: the international was “determined to find out where District No. 2 stood;” Brophy criticized the absence in November of some of the Washington delegates; “Cowan had better be taking care of the political situation in his territory.” (The election, December 14, returned the Lewis’ administration “by the largest majority ever accorded a president of the United Mine Workers;”¹ Brophy was reelected; Cowan too). Second, Somerset learned that the strike in the coke regions was called off. Third, the international’s organizers struck at the strike in the places where blows counted most,—in the District No. 2 locals which were paying the strike assessments. District and inter-

¹ Mine Workers Journal. No detailed returns were published.

national loosed public broadsides at each other; violent divisions broke out in the district. The splitting hulla-baloo evolved not many plans in Somerset's behalf.

By Christmas the migration to the union fields had taken from the Somerset locals most of their staunchest men. Good miners who could no longer stand the maddening do-nothingness, and fathers who could not endure depriving their families, transplanted themselves to union mines, often in distant states. There were left a few of the very ablest local leaders, with a minority of the most determined miners, plus the helpless or the least enterprising. Miners who normally, through intermittent occupation or personal incapacity, had averaged but \$7 to \$14 weekly earnings, contentedly kept their families in barracks on, say, \$10 weekly strike relief; "sharp" men, holding small jobs on farms also took the union's dole. Discouraged men, who honestly thought the strike lost, increased in number. But the majority were folks whose mark was simple determination—men who said, "Strike? No man work. No strike? I work;" women who stretched out a gaunt fist—"What is that weak arm against those mighty monsters"—but would "never give in;" unbroken by funerals at the barracks, or births. The families lived in single rooms, twelve feet by twelve, or twelve by fifteen, often with five to nine children,¹ with beds, chairs, dresser, baby-cart, sewing-machine, in a ring about the red hot cook stove; the smell of food or the steam of washing in the air; sleeping four to a bed or with children on sacks between the fire and the wall; often a canary in a cage and almost always a "plant" in a tin can at the window.² Sometimes the snow from across the mountains banked the windward side to the tar paper roof. They sat.

¹ The foreign-born miners' families had sometimes seven to ten living children.

² In two sets of barracks at Acosta, all but two windows had such flowers.

They hung on the word, or the manner, of the local leader. "I was away at Gallitzin for a day helping a man move," wrote Armstrong. "When I got back to Gray, I found the men in a stir, a number saying they were going back to work, that I had quit." Out of two hundred and eighteen members at Gray but fifteen had gone back to the mine by December; thirty-four active members were left, a similar number were holding odd jobs in Somerset, "still in the strike," and the great majority were gone to union mines. At Boswell, where Hapgood lived in a tent with his strikers until the snow flew, but ten of the local's five hundred and eighteen members had deserted up to February, 1923.

The local leaders hung on the word of the organizers and of the district officials, who in turn talked of the international; "at least the international seemed to be supporting the coke region end of the strike." On January 19 the international notified the coke region men that their strike had been called off by a meeting of the International Executive Board in New York ten days earlier.

The news rocked Somerset. Three weeks earlier their representatives had looked at the coke region; had sat in a conference of seventy-two local union presidents in Fayette County and reported "this end of the strike in great shape." The seventy-two presidents, answering questions about the international, had acclaimed their appointed leaders,—Feeney, an international organizer; O'Leary, an international board member; Hynes, a board member of District No. 5, always supported by the international.

Why called off? The international issued no public explanation. Somerset sent to the coke regions and learned: the strike was called off over the heads of the leaders, on the reports of a committee from the International Board which made a quick trip through the region and did not consult the local presidents. The

delegate convention at New Salem on January 19 sat stunned when informed of the call-off; then protested but had no plan of alternative action; a resolutions committee was instructed to "bring in a resolution;" in five minutes they did so, "accepting the international's action" on a lengthy typewritten sheet,—("There was no typewriter in the building")—which "nobody voted against and nobody voted for." Their leaders left the region and relief payments stopped. A "sell out;" so ran the headlines in the company-controlled newspapers in the regions:—"miners' union leaves the coke strikers holding the bag."

Protest meetings broke out in the Connellsville field. Strikers¹ went to Indianapolis to "see Lewis;" chiefly they reported that "they cussed him out." Cursing the United Mine Workers, it was plain to observers in the region, became a notable occupation among staid sober American strikers. Then followed a development not uncommon in labor history.

As early as August, 1922 the Workers Party (communist) in Pittsburgh² had "banked on the international leaving the coke region flat, in which case they will need strike relief and leadership, which we will supply." This, the "sound tactic for capturing the unions as against the old radical tactic of soap-boxing," they proceeded to carry out as early as September, organizing "The Pittsburgh Miners Food Relief Conference," which sent out publicity assailing the "international's failure to lay a strike assessment" and calling for donations from labor generally. It joined hands with the "Progressive Miners Movement" of District No. 5, made up of miners trying to form a political party in the United Mine Workers "to oppose the Lewis machine." It was a period when "the opposition," in various unions, sought the leadership of W. Z. Foster and the aid of communist organizations.

¹ Joe Geisel, Nick Gallo, Potter of Fairchance.

² Under the leadership of Fred Merrick and J. A. Hamilton.

To a "National Progressive Miners Conference" in Pittsburgh, Foster supplied a program which was simplicity itself:—throw out the Lewis administration everywhere via a platform of the demands hitherto most popular among the miners—election of organizers, nationalization of mines, referendums on strike settlements, a labor party, lower pay for officers, etc., etc. In retaliation, in various unions, the administrations joined to "outlaw" their communist members.

Admittedly many strikes are lost and have to be called off. Probably no strikers, ordered to go back as losers, ever were satisfied with the reasons given them. Whether the international's reasons justified calling off the Fayette County strike can scarcely be the concern of this study; such decisions are the business of labor leaders; our business is history,—the record of what the Somerset strikers learned of those reasons and what they thought of them.

They learned that the debates in Fayette were going as follows. The international was giving two reasons. First, that "the operators were getting more coke production than they had before the strike;" the Geological Survey reports showed it. To this the Fayette strikers were retorting, "Yes, but why? The year previous the steel mills mostly shut down and coke production was low. Also, to get the production which the Geological Survey showed, the companies had had to re-light hundreds of bee hive coke ovens, which had been idle for six years, as too costly. The production was costing them dear and Fayette operators said there was still a shortage of coke."

Second, the international's representatives said; "It would have taken \$50,000 a week strike relief;" the money could not be raised. To this the strikers were saying, "The forty thousand men in District No. 2 alone are putting up the \$17,000 a week for Somerset. For the rest of the half million United Mine Worker members

to put up \$50,000 for the coke region would be only 10 cents a week per member."

The costs of the coke region strike as revealed some months afterward in the "Auditor's Report"¹ of strike relief, September 5, to October 31, and "Financial Agent's Report" November 1 to March 31, 1923 showed: a total of \$227,501.84 was paid in total relief at the rates of:

Weekly average in	September	.....	\$8,120
“ “ “	October	.....	17,360
“ “ “	November	.....	15,050
“ “ “	December	.....	7,133
“ “ “	January	.....	3,220

This was paid from the "moneys contributed on account of appeal sent out" by Feeney, O'Leary and Hynes "and indorsed by international officials" which brought in the total of \$227,501.84; of this \$165,172.63 came from local unions of the United Mine Workers (except a few thousand from other labor organizations) and \$51,800 from district organizations, United Mine Workers; (from No. 5, \$30,050; No. 6, \$10,500; No. 11, \$10,000; No. 9, \$750; No. 12, \$500.)

No checks from the international were included in this record. The international auditors' report, published April 15, 1923, gives \$430,000 sent by the international to "J. O'Leary, relief, coke region strike territory."² The international "gave to all districts their pro-rata share." The Executive Board in July, 1923 announced³ "the organization spent \$739,000 in the strike in that region. Of this amount, more than \$500,000 was contributed by the international."

The Fayette storm of doubts and denunciations spread into Somerset. District No. 2 in February began a ref-

¹ Made public by O'Leary, Feeney and Hynes, in May and June, 1923.

² No itemization given. The audit of "Aid to districts and individuals" totals \$1,158,501. District No. 17, got \$256,000; District No. 16, \$153,000; District No. 5, \$35,000; District No. 2, \$50,000. The audit covers the period August 1 to January 31, 1923.

³ Mine Workers Journal. July 1, 1923.

erendum vote of its locals on whether to continue the strike and the relief assessment. The international organizers who had been sent in to "explain the international's position," after Stiles' editorial on Revloc, now toured the district's locals, opposing the district as "out of harmony with the international," opposing the strike as lost and urging the locals to vote no. Hapgood, Joe Foster, Mallon and other leaders had to leave their strike meetings and go jitneying through the counties to the north "fighting for their strike." The scene in the local at Lilly on February 9 was typical; (from a miner's letter):

There were 300 present at the meeting including two international organizers, Fonteccio from Illinois and Hempton from Iowa. They spoke first; against the assessment, both attacking the district and Hempton saying the Somerset strike was lost and might as well be called off. Dave Cowan and Hapgood spoke and finally at 11 o'clock the men voted unanimously to continue the assessment. Eight hundred votes for, from Lilly. Then someone made a motion that the secretary write John L. Lewis condemning the International Organizers and asking that they be withdrawn. Passed unanimously.

Such were the workings of democracy. The referendum to continue carried strongly; against the despairs bred by the international, the families in Somerset pinned their hopes to the unanimity of the district.

In this same period the district unanimity went to pieces. Brophy had been accustomed to speak of the "well-rounded labor movement" of the district, pointing to four sets of cooperations: one, his association with the Union's Nationalization Research Committee; another, the cooperation of researchers and friendly organizations outside; a third, with the district's lawyer, "who understood the labor movement;" the fourth with Stiles, and Stiles' labor press and cooperatives. Successively, in a few weeks, these were violently attacked.¹

¹ The attacks ranged in form from an official circular published in the Journal to an anonymous circular distributed apparently by operators' agents in the district.

In three of the cases Brophy joined in the attacks. The spectacle was observed widely.

All four associations ended abruptly. The split most affecting Somerset was with Stiles. The Penn-Central News printed an editorial revealing that the District Executive Board had voted to officers and organizers "back pay for the months of the strike." Stiles, who would have received part of the pay, denounced it as tainted. "Was the pay not stopped to show the striking members that the officers and organizers were willing to sacrifice in behalf of the common cause?" the editorial asked the officers. "When you stood before an audience of hungry, discouraged strikers, men whose wives and children were scantily clad and poorly fed; and you with uplifted arm, with all the strength of your voice said, 'we officers and organizers are working without pay,' did you mean it or were you lying?"

He predicted the membership would protest; from January to April, "back pay," the strike and the leadership's relation to the international, were debated in the locals. They forced the calling of a special District Convention; Brophy and his officers defended their back pay; after four days, all but a score of the two hundred and forty delegates voted "no back pay," ordered the officers to publish to the locals fortnightly the bills of current expenses, and, unanimously, to carry on the Somerset strike. The split did not end with the convention; after it the News contained little news of Somerset and much of "district officers' attempts to destroy the labor press and the cooperatives," (beginning with the bankrupting of a new cooperative store in Somerset.)

Why these events put the finishing stroke to Somerset is not hard to determine. Of the two main elements of union support,—strike relief and leadership—the district had supplied the first for many months, without victory. Leadership had acquired an almost mythical importance; it was looked to for miracles—for a plan

of winning, for publishing the protest, enlisting the public, everything from "stirring up labor" to "converting the scabs." Instead what the leadership offered did not decisively combat the Somerset bosses' remarks: "Politics runs the miners' union. Labor leaders like the money. Nice long scrap in District No. 2; they might forget about you strikers. It's happened before. I was union once, boys. I know."

Still they stuck it out. As April 1, the first anniversary of the strike, drew near, high hopes rose that "the strikebreakers will join us." The picket lines filled up: the operators appealed for the state constabulary; Governor Pinchot refused; the Consolidation had a score of pickets arrested at Acosta, mostly strikers' wives "who sought to embarrass and humiliate by offering bread and other articles" and by calling "cuckoo" and "scab." "When the sheriff called on them to disperse they refused and remarked that they were on the public highway." Judge Berkey on March 24 put them each under \$100 bonds. Brophy and Mark suddenly reappeared on a brief speaking tour, relieving Hapgood, Joe Foster, Mallon, Brzezina, who had been at it all winter. (Hapgood's weekly normal schedule of union meetings was two to four daily, six days a week with conferences on Sundays; he had kept it up for a year. The speeches were largely bricks without straw; the district did not make a practice of supplying the organizers even with news of labor developments vital to Somerset.)

The effort failed. The hopes had had some basis. A great many strikebreakers had promised, "Well, I'll quit on April 1 and if you get the rest I'll stay out." The primary difficulty, of course, lay in getting to those working. The organizers haunted the roads, the buses or trolleys taken by strikebreakers. Hapgood encountered three on a bus. "Aw, lay off that union stuff," they swore when he began. When they descended, he got off: "I'll pay you each a dollar to listen to me fifteen minutes,"

he called. They started for him with their fists up; but they listened. At the end two promised to strike April 1 and the third to think about it. Hapgood made them take the dollars; "The joke's on me, I suppose, but I was determined they should listen and I wasn't going have them say organizers didn't live up to their promises." Large mass meetings everywhere marked April 1; April 2 was Easter Monday; for several days most mines were deserted. Some hundreds of strikebreakers moved out; most of the rest returned to work; many of the old strikers in despair followed. The companies had not discharged anybody for staying home a few days; instead they treated the men "royally" (as an operator put it) some paying bonuses in addition to union rates, giving picnics and movie shows.

Not only were "five hundred thousand union miners" not striking, as a year before; they were not "supporting." That was plain.

And the district's fights were not all directed against the operators. That was plainer.

In this period a new note was heard: dynamite. Nights in April and May cracked with some thirty¹ explosions. Several of these did damage: wheels were blown off a steel coal car as Jenners; a truck of strikebreakers' furniture went up in splinters at Jerome. The most were nerve-wrecking blasts in open fields, at street ends or under fences. "It's my belief both sides are doing it," Sheriff Griffith said,² "there are guards who want to keep their job going and strikers have been making threats." Powder was set off under Gregory's barrack at Jerome; up at Timblin a fiery cross burned on a hillside, "Ku Klux Klan" letters were mailed to strikers, then a strike leader's house burned, the union hall was dynamited, and strips of paper left near it read: "All undersirables are requested to leave town."

¹ Sheriff Griffith's count.

² To the author, in May, 1923.

Before the strike, the union record in Somerset was not spotless. In the group of union locals which had existed since 1902 in the Meyersdale section in southern Somerset, one, Local 3168, at Berlin had been on strike a long time against the Brothers Valley Coal Co., when on January 18 and on March 4, 1922, a worker's house and a company pool room were dynamited. John O'Brien, secretary of the local, and prominent in union affairs "in Paddy Gildea's time," confessed, with two other members; a fourth, George Millhouse, also an old time officer in the local, was convicted; Judge Berkey sent them to prison.¹

Of dynamiting,—the indescribably cowardly weapon,—much is often alleged in mine strikes and little of it definite. Ellis Searles, heading the international's representatives before the United States Coal Commission² immediately contributed to the commission the least informative statement. In a letter³ printed prominently in the *Mine Workers Journal*, April 2, he said of Somerset: "In view of certain conditions which now exist in that field, I shall not be surprised to hear that almost any sort of crime has been committed. . . Communists and reds are in Somerset County . . . working under the direction of a headquarters in New York. . . Unfortunately a few of these reds have wormed their way into the membership in the United Mine Workers. . . If your report of dynamitings and other crimes is true, then these crimes can be traced to these red agitators." The letter had no basis in fact; even the operators in Somerset had made few allegations of "red" activities there. Searles for some time had been attacking Brophy. In Somerset men asked: "Is the international now setting the Department of Justice on our strike?" To the strikers Searles was the last word in treachery.

¹ In May, 1922.

² Also editor of the *Mine Workers Journal*.

³ To J. C. Brydon, and submitted to the Coal Commission.

Picketting and "relief" were the only "weapons" left to the strikers. The operators moved to take these away by court action and to drive from the county the inhabitants of the barracks and the organizers. Most of the large companies of the Somerset Operators Association (except the Consolidation) secretly distributed among their working forces "yellow dog" contracts; April 26 President Brydon applied for a new injunction, in behalf of his Quemahoning Creek Coal Co. at Harrison, as a test case. The application named the officers and organizers of District No. 2 and "Eddie Mason, Pete Zimmerman, Charles Shaulis, Mervin Zimmerman" and other secretaries of Somerset locals, and thirteen of the members of the Harrison local; alleged "the said general strike order by the National Organization of the United Mine Workers of America was subsequently called off and is not now in effect;" complained of the picketting "with such expressions as 'quit scabbing; 'be men,' 'be American,' 'join the strike;'" and avowed that the union "in furtherance of the conspiracy aforesaid have caused to be erected barracks" and have supplied the families "means upon which to live for the sole purpose of creating a continual annoyance and disturbance near plaintiff's operation to injure its business and cause its employees to break their contracts."

Judge Berkey granted, and later continued¹ the injunction restraining all (a) from picketting for the purposes of "inducing" employees; (b) "from distributing literature . . . for the purpose of inducing them to join a labor organization;" (c) from "contributing funds" for maintaining barracks and "from maintaining families . . . to induce (employees) to break their contracts."

This injunction the Somerset Operators' Association lawyer described "as a little bit better than any they ever

¹ Judge Berkey "reserved decision" at the hearing on May 11, 1923; in July 1923 he had still failed to "decide." He had still failed to "decide" also on the injunction he granted in April the year before, which was "continued pending decision."

got in West Virginia. This leaves the whole outfit nowhere to go but out." The operators professed that it was aimed at "the annoying fag-end of the strike run by an organization which never withdraws." There were "eleven hundred and fifty strikers left, by careful count," they announced. Hapgood replied, "There are nineteen hundred men on strike relief alone and six or seven thousand on strike in the county." When the injunction hearing began on May 11, the Johnstown Democrat recounts, six thousand persons on a rainy day crowded into Somerset town and tried to get into the court room. Judge Berkey continued the injunction in force while "reserving decision" on it.

Hapgood and Mallon and the Harrison local proceeded to violate the injunction daily; they maintained the barracks, distributed strike relief, circulated literature and after a fortnight, picketted as before. They were ready to go to jail and said that hundreds of strikers professed to be ready to follow them. They were not arrested.

It was characteristic of the strike direction that Hapgood, Mallon and the other field organizers had asked Brophy and Mark what the policy was to be: to obey or to violate the injunction, and if the latter, how? They learned "this was a matter for the District Executive Board." No instructions had come, when Hapgood and his colleagues took systematically to violating the injunction "in the line of duty." They abode under the shadow of arrest, with only "hopes" that "union support" would rescue them.

For months, whirlwinds of politics had been shaking the mine workers. To a violent controversy over the union's "fundamental policy" of nationalization of coal mines, there was added a storm over calling off the Fayette strike and atop that, open warfare on the "Progressive Miners Movement."¹ Hapgood, Joe Foster,

¹ Then joined by Alex Howat, Lewis' expelled rival for the presidency, and supported by W. Z. Foster's Trade Union Educational League.

Dave Cowan and others from District No. 2 had attended a meeting of the "Progressive Movement;" afterward the international proclaimed this movement a dual organization. Union politics filled the labor papers and spread into the general press; in neither, for months, had appeared any news of the Somerset strike and no earthly suggestion of a plan for winning it. The Somerset bosses' talk, "union politics—the district will slide out next,"—had little to offset it. In June District No. 2 cut the strike relief rate from \$7.50 per man to \$4 per week. The district's reasons were: slack work at the union mines and new strikes in Jefferson and Clearfield counties.

Demoralization everywhere. Yet, June 6, the remaining twenty-four Somerset locals met in convention at Johnstown and held their heads up. What concerned them most was an "appeal to the International Executive Board to make a public statement that they are back of the Somerset strike morally and financially."

Their resolution¹ cited the public statement of J. S. Brennan, secretary of the Somerset Operators' Association, that "the national organization, through President Lewis, called the strikes off, refusing further financial aid; . . . the Somerset strike is an outlaw strike, without the approval or consent of the national organization." The resolution added that "this idea gives the coal operators courage to fight the unions," and formally requested first, the international's financial assistance "in order to prove to the coal operators, *and to the strikers themselves*, that Brennan's statements concerning the international are not true;" and, second, "a public statement" of international support for Somerset.

At the end of fourteen months of striking, the Somerset men were asking for something which they had, for a long time, taken for granted! The all-important "union support" was still a question.

¹ Unanimously adopted and printed. Resolutions Committee: Albert Ramsell, Powers Hapgood, U. S. G. Gallagher, Charles Ghizzoni, Mike Mizu.

"Everybody at loggerheads" is labor's usual position toward the end of long strikes; then important bits of plain speaking may show up. "Why all was lost in Somerset," headed an editorial by Stiles in the Penn-Central (July 14). He and Brophy were now openly fighting, the support of his cooperatives and labor press caromed through a maze of union politics; Brophy ousted him as cooperatives organizer; Lewis appointed him as international organizer. His editorial was not "a survey from a detached viewpoint." After the Cleveland settlement, his words went, "the causes which led to the loss of the strike began to appear. Some of these causes were fundamental and could not under any circumstances have been overcome. Other, and probably in the end, determining factors arose from friction between the International Union and the district officials, and incompetence."

He revealed the international officers' assertion that Brophy had told them in January, "the strike in Somerset is lost;" asserted that the district's "opposition to the international was so bitter that president Brophy refused to permit international organizers in the field unless they worked under his direction;" and that Brophy refused an offer of the international to hold the southern half of Somerset with international organizers while district organizers held the northern half. "President Brophy's desire to discredit President Lewis politically by holding on in Somerset County after the international had withdrawn Fayette;" such was Stiles' first reason for the lost strike. His second was, "the neglect to use all the means available:"—the district in the second April drive had "tabooed" the Penn-Central News and Stiles, "along with the international." Brophy, the paper added, was now begging the international's political support; Lewis' peace conditions were,—calling off the strike "within two months" and expelling persons who attended the Progressive Conference.

Estimating the worth of Stiles' reasons is, happily, not the business of this study: their general nature (and the fact and manner of their publication) contribute a final, and an agreeing, answer in the inquiry we have been pursuing. In short: the question of "union support" was in large part a question of union politics. The old union membership paid the strike relief assessments; but the leadership end of "union support" waited on other things. To the various officers there were considerations, nearer home, more important than "the labor movement." To the strikers in Somerset the labor movement was important; it had to be: it was about the only thing in the world which they had left.

But the leaders and members of District No. 2 and the members and leaders of the national union—they had a great many things left in 1923. Their organization's politics, policies and problems had been theirs for many years, and nobody else could solve those problems; the union miners had elected nobody but their officers to solve them. The isolated locals in District No. 2 struggled with slack work, strike debts, relief assessments, disputes with operators and divisions in the union, as they had done for years; they read nothing from Somerset, could see little of the solid, stolid, despairing groups down south. The district officers struggled with joint conferences of operators and miners,¹ with depleted treasuries, threats of a national strike (March, 1923), a restless rank and file and divisions over union policy; as of yore; Somerset saw them but rarely. The international officers struggled with strikes in a dozen states and in Canada; saw an entire district (29, in West Virginia) smashed clean out of existence, another (16, in Maryland) just about demolished, another (19, in Kentucky) going to pieces; the Washington, Kansas and West Canada districts demoralized; had to deal with the new United States Coal Commission;

¹ After Cleveland, in Chicago (December) and in New York (January).

fought the movements, splits, policies and parties natural to a union in the throes of change: on their map Somerset bulked no bigger than on President Watson's of Consolidation.¹

To "sacrifice" for Somerset would have been possible only if the whole miners' democracy had had the sort of "public opinion" about the strike which democracies usually require for sacrificial action. Creating such support inside the union "was not the district's business;" such had been the verdict of a district officer who acted as if the Somerset problem was no bigger than District No. 2.

The Mine Workers, which had been created by old-time strikes for union, plainly was not the same thing as the new unions, created in 1922. The Mine Workers' own home problems took precedence. "Organizing non-unionists" was an item in union politics, but did not head the order of business.

So the chapter ends. Sixteenth month. Union officials "seeking union support,"—by finding a way to call off the strike.² In Somerset, men, women and children on strike relief,—about to cease to draw it. The miners, best off in this world's goods, were the strikebreakers, getting wage rates up to 54 per cent higher than the field paid before the strike. The international union faced a national non-union problem, larger in territory than before 1922. The country's operators, including Somerset, remained successfully on guard "against union domination and the nationalization of the coal mines."³

¹ "Our interests extend all over the world: Somerset is a very small item," Watson had told Armstrong.

² The strike was called off in the middle of August. Armstrong had gone into another industry in Indiana. Hapgood, laid off as an organizer, found work as a machine loader in the mines at Emmons, Cambria County.

³ From a brief submitted to the United States Coal Commission, by the National Coal Association's Special Committee, J. C. Brydon, chairman.

TO SUM UP: DEMOCRATICALLY SPEAKING

Were all the facts present, necessary to pronounce judgments on individuals and to indict, or to crown, men in mass, this study would still refrain. If verdicts were given, the simple "guilty" or "not guilty" might be interpreted as more important than the complex record in the case. Instead of being clean cut, clear and simple, the case of the populations in southwestern Pennsylvania, trying to influence the rest of the United Mine Worker democracy, was quite as complicated as if any section of the United States should try to swing the whole body politic.

Standards for judgment, moreover, are lacking. Suppose, after presuming to label one labor leader selfish and incompetent and another selfish and too competent, the old union locals incapable and the new strikers valiant but scarcely long-headed,—we should move on to the "general public," the "most important" partner in the coal industry, whose "opinion is always decisive." Somehow its record, *in re* Somerset, as expressed in the acts of governments or of the press or of mediators or of mass-meeting audiences, does not furnish any remarkably definite achievement. The strike reveals that more of the American democracy is on trial than is contained in the United Mine Workers. The public had a United States Coal Commission functioning during nearly a year of the strike.¹ The Commission had before it at least as many of the facts as this volume presents. In its only report dealing with the non-union question,² the six commissioners' names are affixed to a lengthy document the gist of which is fairly represented in the following excerpts:

¹ After September 22, 1922.

² Dated September 8, 1923. The report disclaims making any definite recommendations aside from "voluntary arbitration" and in case of continued disturbance, "Congress should assume jurisdiction over American rights."

Many, if not all, on both sides are at fault and all have some excuse arising from the weaknesses and passions of human nature. . .

For years this irrepressible conflict between the undoubted right of a man to operate his property as he pleases in America and the undoubted right of men to organize for collective bargaining with reference to wages and working conditions has gone on. . .

The condition resembles the conflict between the definition in the Declaration of Independence concerning human rights and the then clearly constitutional right of human slavery. The great mass of those arrayed upon either side were unwilling to compromise or adjust. . . It is to be hoped that we have learned wisdom by experience. There is a patriotic side to this question which is of more compelling force in the mind of the Commission than even the economic one. . .

In this clash of rights, every red-blooded American in the industry should yield as much as is necessary of his unqualified legal right to the end that *the* mining industry may be owned and worked by loyal citizens, whether native born or naturalized, in the spirit of fairness toward the public and for the preservation of the principles of civil rights as now understood by the American people. . .

The commission calls the attention of certain persons in America to a very wise statement made by the Apostle Paul when he said, "All things are lawful to me, but all things are not expedient."

Men have of course the inalienable American right to go into strange communities and diagnose the evils under which the community suffers and offer remedies for a cure. But many times it is not expedient to exercise this right. . .

Notwithstanding the decisions of the Supreme Court of the United States that the so-called "yellow dog" contract is legal, the commission is of the opinion that it is a source of economic irritation, and is no more justifiable than any other form of contract which debars the individual from employment solely because of membership or non-membership in any organization. The right of an employer to discharge for disloyalty, dishonesty and incompetency or other unlawful conduct should not be abridged, but he should not be permitted to blacklist a discharged laborer for any other reason than disloyalty, dishonesty or unlawful conduct. . .

*The commission condemns*¹ equally that lax local government which has seemed to render it necessary for the owner of property to police it at his own expense and in the event of strikes to bring in professional strikebreakers, who are frequently better gunmen than they are laborers, and *the exercise of that right which inherently belongs to an American citizen, namely, that of a stranger voluntarily walking into a community, hiring a*

¹ Italics are mine.

hall, and giving that community a lecture on what its rights and duties are.

Shades of 1776! What a pity those thousands "voluntarily walking" in and out of the communities of Somerset in April, 1922, could not heed these expedient, red-blooded American and apostolic findings on their case. As "the public verdict," promulgated to a nation which asked for a course of action, these findings hardly recall the work of other governmental commissions, e.g. Great Britain's Sankey Commission; they rather remind of those quaint old English prints of county gentlemen, Squire John and the Honorable Tom, with the village divine, "discussing an excellent private bottle" while their witty chat balances successfully the interesting wickednesses of this best of all possible worlds.

Anything definite to be done about the country's unstabilizing non-union coal problem will have to originate in the miners' union. The one way for the miners to make their future course a little more definite is through studying what they have done, realizing why they did it, and where their union is inevitably headed. Many miners after the strike confined their criticisms to savage onslaughts on the various leaderships; to proving how much might have been done if the international officers had been awake to the possibilities in the Somerset-Fayette situation in July, 1922; or how much further Brophy and his associates might have got had they realized that the situation was not local and would require the solid backing of the national union, no matter "who got the credit," or had they looked on the accruing public support less as a charming accident and more as a controllable force with potentialities to skilled men. The disunity lies deeper. After all, unity in action seems unnatural to mankind; it is the creature of dire circumstance. In the last crisis of the World War, very eminent gentlemen, representing four eminent nations, achieved the unity of planning

in common their common fight, only when in March 1918 they thought they were being swept into the ocean; (and soon after the four nations were not so famously unified).

The drift of the miners union comes out in recapitulating the causes of defeat in Somerset and in reviewing the union's position and habits. The cause of failure seem to have been:

1. The fight waged by the coal companies. The owners were vigorous, unrelenting; unhampered by logic when one of their number gave away part of their case; favored by the general policing situation; supported by the law of the land devoted to property rights.

2. The over-development of the coal industry. There is too much slack in it for a strike, involving even a large part, to accomplish the economic pressure of an absolute pinch on production. The companies in Somerset, as elsewhere, were used to surviving over long periods on one or two days' production a week. When the bottom dropped out of the coal market after the Cleveland settlement, there were no great profits to tempt to a Somerset settlement. The big key companies had mines elsewhere,—in West Virginia, Kentucky and other parts of Pennsylvania—which they could run.

3. The limited union support. It was never "the fight of the United Mine Workers of America against the Somerset operators;" support was limited to a district. District No. 2, particularly in resources, was no match for the Steel Corporation, the Rockefellers, the Pennsylvania Railroad, Bethlehem Steel and the Mellon bank. Even to get their case heard by the public the district leaders needed larger voices than their own. Any winning had to be done outside Somerset county.

4. The failure to realize what union support leads to. Somerset, if won, would have lead to big events,—not little ordinary hole-in-the-corner happenings unnoticed by anybody outside of District No. 2; but to revolutionary

results directly affecting the whole public, that large slow hard-of-hearing partner, sought by the strikers. Union support means supporting the thing won; *if the thing won should turn out to be the coal industry*,—well, the partner-public will not be consenting without a clear understanding beforehand.

At the end, it was a national, not a local, difficulty which got in the way of any settlement. *The United Mine Workers has raised, and not clarified, the question of what the union will do to the coal industry when it is all organized.*

The international union has never followed a consistent "plan of battle for capturing the non-union fields." It has not sat off plotting, like a giant spider centering in Indianapolis. Perhaps it has needed to plot but in the main it has not found time to. For twenty years it has been a good deal occupied with answering calls for support of things started under local leaders. In the last ten years it has, within limits, supported in Colorado, and lost; in Alabama and lost; in West Virginia, and lost. Each time the granting of support has been (unless politics intervened) measured by dollars: how many strikers can we keep on relief? When President Keeney of District No. 17 was ready to organize and strike the whole of southern West Virginia, he was forced instead to drop his locals in Logan and confine his strike to Mingo because, Alabama's claims having intervened, that was all the finances were supposed to be able to cover. In future the United Mine Workers is likely to continue the practice; not organizing on a grand scale, but supporting, piecemeal and opportunistically. (Except when led off into the futile bypaths of "making a deal with the big fellows" or "getting the cooperation of the union operators to beat the non-union;" both bees having buzzed distractingly in mine worker bonnets.)

In supporting, within limits, strikes for union in Colorado, Alabama and West Virginia the international

union has uniformly turned for help to the confessedly democratic general public, has "stood on the rights of man," the simple right to "organizations of the men's own choosing." John Mitchell in 1902 advertised the miners as men, by sending their brass bands to blow and beat in New York streets. The Somerset miners, picketing in New York and pleading before newspapers and city governments, simply repeated in a vigorous up-to-date fashion the traditional tactics "of appealing to the public." They have, of course, nowhere else to appeal to. In short, for years the union miners have been calling to the public to be their partner in crises; and then dissolving the partnership and going back to quiet talks with another partner, the coal operators, generally "in executive session."

There the miners' union has stuck for the last ten years. Roughly, they have stayed stalled at the two-thirds mark. One-third remains non-union. The simple "rights of man" stand does not seem to be winning. It is a necessary part, but as a complete program it does not hold the occasional partner.

It seems to be about time to recognize that the public regards a union which may be *approaching* complete organization of a basic industry as *already* a different affair from the old "pure and simple union any man has a right to belong to."

There seems to be evidence that some miners regard their union the same way. Twenty years ago the union's demands were a little more money, a little shorter day, and recognition of their right to help at these measurements. But beginning in 1912, a demand for a different sort of "demands" developed in the union; until, since 1919, the formal "fundamental" demand of the United Mine Workers has been "nationalization of the coal mines." The long-standing huge gaps in the unionization of the country's railroads were suddenly filled in 1917-18; and within a year the railroaders were demand-

ing nationalization of the roads and producing the Plumb plan. When the president of the Mine Workers in 1922 triumphantly pleaded, "I am only carrying out the faith and practice of my father before me" he was merely stating one of the causes of his union's difficulties.

The coal operators, who in the past were generally quicker than the union in dives after public support have been crying that the Mine Workers "were once beneficial but now they are a menace."¹ "Stand by the open shop mines" declare the organs of business,² "against the union flushed with its triumph in the 1922 strike;" the non-union mines "are the only barrier against nationalization of coal—and the consequent coercion of all industry." The union retort,—“propaganda,”—sounds pat; but it scarcely changes folks' suspicion that this operators' cry has a nub of truth.

If the union, when complete, intends substantial control of the industry—and the international admits "no officer would try to drop the fundamental policy of nationalization;" and if the union refrains from explaining what it intends to do with a completely unionized and imminently nationalized coal industry, we may have an explanation of why the public is getting deafer and deafer to the "rights of man." "What's the big pistol in your pocket?" the public asks; the union leaders smile deprecatingly and say "Well, the name of the make is 'nationalization' but we don't shoot it, now, do we?" The public asks, "Yes, but what goes to bits when it shoots;—prices or production?" "To tell the truth," says the union privately, "we don't know. We haven't thought out what 'nationalization' might do. We're pretty busy." The union goes right on talking about the undeniable violation of human rights in the non-union fields; and the public stands palsied by the thought of that pistol.

¹ See especially the reluctant testimony before the Senate Committee in 1921 of Tom L. Lewis, now commissioner for West Virginia operators, formerly President of the United Mine Workers.

² See *Industry*. February, 1923.

Within the past two years, of course, various leaders within the union have been trying to clarify what they mean by nationalization, what it will do to wages, to production, and the price of coal. Its benefits to the consuming public, they are sure, will win the public, if thought out and explained. "Public ownership," they see, must mean the public as permanent partner in the coal business. It may mean, they are beginning to see, the union as some sort of a public institution.

And that has been a rub. The Mine Workers recently has exemplified the dilemmas which democracies encounter. As a first step in clarifying nationalization, "Let us have out all the facts of the coal industry," the union nationalizers argued: "compulsory information of all the facts, for the public."¹ By that they meant principally,—it was quite natural,—the facts of the operators' profits and mismanagement. The District No. 2 leaders, who were "nationalizers,"—committed thereto by the adoption of a "Larger Program for the United Mine Workers" by the District Convention of 1921,—felt properly hurt when the international rebuked the district movement for "exceeding its powers and usurping the functions of the international." Then certain miners in District No. 2 conceived "coal fact-finding" to include publishing the facts of the union. When Stiles began printing such facts as he saw them, and advocating systematic union-fact-finding, Brophy declared it "usurping the functions" of the officials: "it is dualism." Such are the out-workings of democratic thinking. Such is the size of the knot in which the non-union question is tied hard and fast.

Heritages from the past twist the union's progress. First come the results of two generations of American law-making which defines unions as "conspiracies;" courts still try to give unions the status of a public pariah. Second, when a union starts, its birthmark, and

¹ See *Compulsory Information in Coal*, first report of the union's Nationalization Research Committee.

its attraction to the new members, are in the fact that "the boss has nothing to do with it," nor the boss's police nor his friends, his editors and reporters, nor his bankers, business sympathizers and his preachers;—"the public" automatically got barred. Next, the interminable warfare over the non-union fields fosters the undemocratic secrecy of a quasi-military organization. Then there is the privacy natural to politicians, (wherever found, international politicians, American or union;) the personal connections or "deals" for controlling a world of men who are not fond of being lead by logic. Union politics are pretty much in the stage of American party politics many years ago, before the spread of cheap newspapers forced the major political maneuvers into the open. The lack of labor dailies leaves union politics still in the tradition of "private affairs." To lambaste writers on union history "for presuming to discuss our business" is not bad form.¹ It is no accident that the mine workers' one journal habitually tells the members nothing about the union's control; or that the union's Policies Meetings are secret; and that the biennial conventions are more devoted to stampedes than to factual debates. Union politics, (it is surprising) resemble the politics of the "great parties," which contain most of the union members. The Democratic and Republican parties, even today,—have they ever been described as partly back-stairs deals of bosses and bankers, partly mob-led national conventions publicly lock-stepping behind irrelevant slogans? The United Mine Workers' progress toward the status of a democratized public institution will scarcely be out of step with the national habits.

So the "democratizers" among the unions believe. "The folks outside are like us," they say: "let union affairs be public business. Everybody will understand."

¹ At the April, 1923, convention of District No. 2, high officers laid the District's troubles to its "larger program" and deemed that "publishing a newspaper was no affair of the union," etc.

In the past two years the tide has run rather fast inside the miners' union; ideas that the union is coming of age; that it is a public institution whose affairs are open to all, including its half-million members; that its desirable partner in the coal business is the public as owner, with control settled by resort to democratically published coal facts; these ideas have spread fast enough at least to provoke the old time leaders to great outcries against "mixing with outsiders" and "fooling with what isn't union business." Indeed there is no other "persistent tendency" within the mine workers: it has nowhere else to go; it can't get away from its incorrigible democracy.

To settle the non-union question the union must think out what it means by nationalization.

The Somerset strike began because of the mere existence of the union, a democracy. It was lost, like most of the others of a decade's great strikes for union, partly because the United Mine Workers is what it is, imperfectly democratic. In a considerable measure, through an increased recognition of personal and community civil rights, the Somerset miners going on the strike for union, rejoined America. But they also joined the Mine Workers. The faster the Mine Workers clarifies its destiny as a unit of economic government, and the faster the nation in law and public opinion recognizes such union status, the quicker will end the casualties ("women and children first") of hideous wars in coal.

And of such record,—of strikes and organizations and ideas,—in terms of coals, rails, steel, oil, electricity, cloth, houses and food,—will be written much of "the history of the American government and people."

APPENDIX

A.—NON-UNION NORMALCY

1. ALBERT ARMSTRONG'S MSS.
2. TESTIMONY BY F. R. LYON
3. JOSEPH FOSTER'S MSS.

B.—NATIONALITIES TABULATION OF BERWIND MINES

A.—NON-UNION NORMALCY

I. WHY WE STRUCK IN SOMERSET¹

I was born in England. I had a friend in America who wrote to me I should come to America as he thought I would do good. As far as doing good is concerned I will not say, but I will say I like America very much and think there is no place like it, despite the hardships and sufferings I have undergone in an endeavor to have conditions changed in these non-union places.

We went to Bell, Pa., where my friend lived, a mining town amidst the mountains of Somerset County. I asked him if there was a union and what the coal company was. He told me it was non-union and the company was the Consolidation Coal Company.

He put me wise to keep quiet about union and said it was best not to say anything. Not being very well fixed regarding money and being strange to the country, I decided to keep quiet but to think a lot. He told me that anyone talking union and the officials found it out, might as well go, or the officials would see that he did go. When a stranger came to these towns the company inquire who he is and where he comes from.

Bell is in the mountains and any angle of approach, there is a hill to climb. The roads to and from this town are in bad shape; one does not want to walk far. The people were not very sociable.

I saw a man walking around. He was dressed in the mountaineer style. I was told that was the super. I asked him, how about a job. Where do you come from he asked. England, I said. What kind of a job do you want. I told him I would prefer a job outside

¹ By Albert Armstrong, president of United Mine Workers Local No. 5260, at Gray, Pennsylvania.

to begin with. See the tippie boss, he said. I went down to the tippie boss and asked him how about a job. He did not say anything to me, but hollared to a man, Ho; Charlie can you use a man. Charles Knupp, an outside boss, told me to come out in the morning at seven o'clock.

The next morning I went down to the tippie, where a lot of workmen were gathered about. It struck me very much that they were averse to talking to a stranger. Charlie told me, I'll show you what you are to do. We came to an unfinished ditch. I was to work in that ditch, which I did. This man did not tell me what hour was lunch time, quitting time, or anything else. I found out from a passing man that quitting time was three-thirty. Told to come out at seven, and being told that three-thirty was quitting time, I knew I must be working an eight hour day, the extra half hour being for lunch.

We went to housekeeping. We bought our household goods from the store controlled by the coal company on credit, I signed a lease which called for the payment of the goods within six months and payments being kept off at the office, and we certainly had to pay high for everything we bought. It is the unwritten law in these non-union towns that a man employed by the company will buy his goods at these stores. What I mean is, one finds out from his fellow workmen that it is expected of you that you will buy there or you will either lose your job or it will be made pretty mean for you.

Under non-union conditions for one thing the boss has it all to say as to what conditions you will work under and what pay you will get. That might be alright if people would be satisfied with such conditions, but people are not. Even without other enlightenment than their own reasoning workmen realize that things should be different. In a non-union plant the boss will come to men to do a certain job; he don't even want to be asked what pay there is for it.

Then again what interests a working man, or what should? His work. A man in non-union towns is not a free agent to discuss his work. Why? Because when he does, his mind is centered upon his conditions being changed. But he daren't express such opinions.

Life under non-union conditions is nothing more than petty slavery, because non-union men know that if one of them do try to change conditions he will be quickly got out, at the bosses orders. A man working under such conditions, is naturally afraid to trust his fellow man. Eventually there is a feeling of distrust one against the other.

I would always go to work in the morning about Ten Minutes to seven. I found the other men who worked on the outside labor gang were always before me. I asked the time they came to work and was answered that they were usually there by six thirty. I asked the reason as I seen no use in coming so early, and they said to be ready when the boss arrived. However I did not change my time of arrival and one morning the boss was there when I got to the tool box. He said he did not understand how I managed to come at Ten minutes to seven and the other men were always ahead of me. I told him I was only getting paid from Seven until three-thirty, eight hours. He did not make any answer.

I finally began to know people. I did not have much trouble because as stated, I vowed to keep my peace at least for a time. Sometimes this labor gang did not get paid for time worked. A Railroad Car Load of sand was pushed in to the side track and the boss wanted it unloaded. It was a 50 Tons Car and we began at 2 Pm. Their was four men. At 7:30 at night we finished. I asked the boss next morning how many hours he had turned in for yesterday. He said, Eleven, I said I figured it Twelve. He said I thought it was eleven, but said he would see about it. If he did I never seen the hour's pay yet. The same thing happened about

two weeks after only it was a day's work of 11 hours, and instead of getting paid 11 hours we got paid 10.

Is there any wonder men become dissatisfied under such conditions, because if a man was to put up any fight for his time in the above cases he would be branded as a trouble maker and fired.

In the course of time men began to trust me and would voice their dissatisfaction. One morning I was told to work on the tippie, to dump rock cars. A man named Miller was picking the diggers checks off the coal cars. A car was run in to the rock dump track and I seen Miller take off a check. I thought that strange but on dumping the car I found out the reason, Miller had noticed some pieces of rock on the top of the car and he had it put into the rock track and the man who loaded the car would not get paid for it. Often on the tippie I would hear diggers complaining of the company weigh man about being cars short.

I learned there was a man needed on the Electrician gang and I applied for the job and got it, work of hanging Wire in and outside of the mines for the hauling motors also repairing these motors and the Coal Cutting Machines. This job took me into the mine and in touch with the miners at work. Here I learned of the men being given unfair weight on the cars of coal they loaded. Some men stating that cars that they used to get 2 Tons 10 hundredweight for when the mine first opened they were now only getting from 1 Ton 2 hundredweight to 1 Ton 10 hundredweight. The reason of giving fair weight when the mines first opened was I presume to induce men to work in this outlying coal mining town. The reason they could not do any better was they were at the mercy of the company weigh man. Where the union is established the diggers elect one of their own number, and paid by them to check up on the cars as the cars go over the scales.

The men also complained about dead work. Another

grievance was, men having to work in places which were wet and in which in a short time, their clothing became all wet, and stayed wet all day and not getting any pay for such extra bad conditions.

I have known men being fired without any explanation from the boss.

It came time to take inventory at the mines, and of course I thought I would have to measure to determine how much wire there was. But no, another man was put into my place without cause and I was forced to stay at home. I asked the boss his reason for doing this and he could not give me any reason.

I could not stand for this and work for that boss so I went into the mine looking for a motor man. The mine was only working one day a week.

On the evening of June 30, 1921, I went into the Company store and seen notices stating all accounts had to be paid at once or they would be turned into the office for collection. I asked the reason and was told the mine was closing down. No notice or any official word had been given to the men that such was about to take place. And no one was allowed any credit at the store; cash from all.

Going to housekeeping and papering all the rooms and painting and varnishing around the rugs, we were pretty comfortable. I worked five days at making a cellar putting steps down also fixing an electric light in the cellar.

I had spent money to have the garden put in shape. The amount of rocks that were taken off were enough to make one tired looking at them. When harrowed there was just as many rocks as when it was plowed. Still more work. Altogether I cleared six dump wagons of rocks off the garden.

Next day after the mines closed down I went to Gray mine which belongs to the same company and the mine forman gave me work as a track helper. A man

could not choose what he was going to do. In fact this mine was only working one day a week and did so all summer. There are only Company owned stores in these towns. If they trust a man, they will allow him to get credit from the store and pay when work takes up again. And pay he does for the prices that they ask for goods are very high.

Laying tracks a man gets around pretty much and sees conditions as they really are. Here I got in touch with the diggers situation, for work in pillars, there is always more or less dead work, that means when the rooms were being driven up the diggers would shovel all rock, and dirt to the sides, then when the pillars have to be drawn, this is to move. Then again in pillar work the roof very often falls in and the diggers are obliged to clear it away. Here, was a situation where the men were very much imposed upon—as they declared and should have been paid for the time worked at clearing away.

The boss did not think so for he just paid what he wanted to which was underpaid, and in lots of cases did not pay anything. This the men kicked about very much.

I repeatedly heard men accuse the company weighman of unfair weight. I often heard the remark that, It was time something was done.

Another thing the men always losing loaded cars in transit. I have known of men losing three and four loaded cars in one day. Sometimes they would finally get credit for them and oft times not.

And so it went on and instead of getting better, matters got worse for the men. On one occasion the regular weightman was sick and therefore another man had to be put in his place. He was weighing coal for a period of two or three days. The weight was much better and the men were surprised that they should have such good luck. However it was not for long and the sick man

came back to his job. The weight again went to the old low standard.

Now how was it to be explained? The temporary man got hell and the company gave out the statement that the scales were incorrect and the weight given to the men for the period mentioned was a good deal in excess of the weight on the railroad cars when weighed on the railroad scales. That was the story handed to the men and they were forced to take it, as they had no union, therefore nothing could be done in any matter of that kind.

A few days after this, at starting time one morning the coal diggers refused to go down the shaft. The mine Foreman inquired what the cause was, and Arnold Dowe spoke on behalf of the men and told that they refused to work owing to the unfair weight they were getting on the cars they loaded. The Officials of the Company endeavored to get the men to go to work, but they refused saying they would not work until they got fair weight, and returned to their homes. A meeting was called by company officials and the promise was made that the scales would be tested and the men would get full weight. The men after two days idleness returned to work. Arnold Dowe was fired. A scale tester came after a few days and tested the scales. No digger was allowed in to see the test, and the weight on the cars was not any better. The Superintendent at the mine was changed soon after this and Dowe came back and asked for a job, and was told by the new man that there was no job for him and that he could not get a job anywhere with the Consolidation Company again.

One day my buddy and I put in a switch in a room. We did not have the proper stuff to work with therefore could not make such a job as should have been. The next day an electric mine motor was passing over the switch and got off the track pulling the switch apart. We had to go and fix it. We started at 12 Noon and

worked hard all afternoon till quitting time. The next morning the boss asked what we were doing all afternoon wasting our time. He said he could put three of those switches in in one day with one hand tied behind his back. Saying this he walked away and it was said in a manner as though he was talking to some dog. Can you wonder that men resent such treatment?

The slack work continued and it was explained that steady work could be had if the coal could be loaded clean.

The next thing was we went for our pay on pay day and found we had been reduced from 34% to 40% in our wages and had worked two weeks before we discovered the new wages. This was in August, 1921.

In this seam of coal known as the E. vein there are two layers of rock in it, one is about from 6 inches to 8 inches from the bottom, the other one from 10 inches to 18 inches. It was explained by the officials of the company that the coal cutting machine would cut out this top rock, known as binder, and that would produce clean coal. Men were put to work to see that the coal cutter cut out this Binder with the coal cutting machine. These men were termed as Coal Inspectors. I was put to this work and apart from seeing that the binder was cut out we had to see that the coal diggers cleaned out all dust and dirt which was left under the cut, and that all dirt, dust, and rock was back from the face of the coal a distance of eight feet before the digger was allowed to shot down the coal in readiness to load into cars. What of the bottom it would leave? The digger would have to dig enough to at least to lay down the track for the cars. This was done and the men as usual did not receive any pay for this extra work. If any rock or dirt was loaded in any man's car the weight on the car would be reduced considerable the first time and if it happened more than once he would be fired. This happened several times.

I have known two men work 12 hours to get two places in readiness to load coal, and that meant working 12 hours for nothing.

It was impossible for the men to stand these conditions. As April, 1922, drew near the newspapers published the news of the threatened coal strike. A few days previous to April 1st I noticed a man with a gun strapped on him and was also carrying a club. He seemed to be guarding at the road leading into the town from the state highway. He had worked in the mines for a few weeks and had come to Gray from West Virginia. Then I noticed a few more men who were watchmen. Rumors went around that gunmen were employed to watch over us non-union men. The men resented this and I heard remarks, that they would be d— if they would work under guards.

April 1st the newspapers had the news that all the union miners had came on strike. More watchmen and gunmen were employed. We learned that there was between 35 and 40 gunmen and spotters on night shift with a couple making rounds to these watchmen to see if everything was O.K. So there was a continuous chain of guards around the town which has about 400 houses. The public highway runs along the upper side of the town and the watchmen would stop people, in cars, or walking, to see who they were and this at the point of a gun.

A change was coming over the men. Word was passed in a day or so that the great mining operations of Windber had struck. The newspapers carried that news the next morning. This was April 3rd. News reached us that Boswell had came on strike. Boswell men out made an anxious time for Gray officials it being only 7 miles away. Jenner which is another Consolidation operation two miles from Boswell, we heard was expected to be the next place to strike. And it was.

Then the diggers at Gray began to strike. More and

more they just didn't go into the mines. Injunctions began to be served to all men not working. About this time a man who worked at Gray was entering the town and because he did not stop Supt. Mullen shot at him. The man was in a car, and the shot went through the back window passing close to the man's head and through the windshield. At this the man stopped, was arrested, taken to Somerset a distance of eight miles but was set free. The Superintendent left rather hurriedly a week after this affair. A temporary man was put in his place, and I heard the man telling a Polish miner, while giving him an injunction paper that he was not to even talk about the strike. The man took it all in and went on his way. More and more diggers stayed at home from the mine.

It was a known fact to me that a good lot of these men had been in union mines before because I often heard such remarks as, "that would not be where union was established," and "in union mines the men have a checkweightman." All such remarks as this were made, often on the quiet. I have seen men from other surrounding towns come in to see their friends and would not be allowed into town. Men would talk about that and the reason—union. Every worker is union in his heart, wherever he is.

The coal diggers were the first men to start the strike in Gray. These men got fewer and fewer coming to work. I cannot put down here who all did the talking and to whom we talked. About April 15th I went down towards the Company office about 6 p.m. and I was told there had been an organizers meeting over at a miner house situated along side the state highway, but that state police had broke it up. I just missed seeing two state police chasing out of town about 12 Italians, who were being blamed for causing the men to remain from work.

A Polish miner named Frank Kirch was evicted from

the Company house with his wife and 6 children. The company officials called a meeting with the diggers and offered 50 cents per yard for digging bottom, all to no avail. I myself heard the Mine Foreman, offer an Italian miner a day's wages if he would only go out the next morning and he would not need to leave the shaft bottom. The Italian miner asked him who was going to look after his family if he went to work and the General Manager of the Consolidation Company of that district, who was there, told him his family would be all right, and when the mine foreman made the offer of a day's wages to him the General Manager said, Now Joe do you hear that. Joe did go out the next morning and was told to go to his work by the same Mine Foreman who had told him he would pay a day's wages simply for going out and remaining at the shaft bottom all day. Later in the day I heard the Foreman say to an assistant boss, "Do you know what Joe wanted. He wanted a shift for simply coming to work." They did not fool Joe any more. That was his last day. He was a machine runner.

About April 25 there was only eleven diggers at work but only two day men had come on strike. More men with their families were evicted. Single men who did not work were given 12 hours *to leave town*. The Company did everything to stop the tide of unionism, even going around the houses in the morning asking and coaxing the men to return. About this time James Patrick a motorman and I got really busy among the other day men. We had it planned and on April 30 we quit. That night six of us went where we could join the union and found the temporary elected President of the Local who was Slavish. He could not give us the obligation in English. Then we decided to send to Boswell for the organizers to take us into the union. We asked them to come up the next morning.

We then found out that the strike had been carried on by Polish and Slavish born miners and a few Italians. Those were the people who made the majority of the population. Jimmy and I got busy that night and went around the men asking them to join the union.

There was a friend of mine watching in company with another man and not trusting this second man but wanting to tell my friend what was going on, I decided to go to their watching post and do the work. I knew if this man found out what I was up to he would report to the office at once. Nevertheless I went, motioned my friend aside, talked to him and soon he was another on the list for the next morning. However before going home that night I was warned to watch myself as I was spotted. I did not lose any sleep over that and the next morning eighteen of us, all day men went to the place of that night before expecting the organizer. We waited.

After waiting for about an hour they did not come and I was asked to give the men the Obligation. I first took it myself and then gave it to the other men. That was how we joined the union.

I did not want to have the men go away and perhaps get disgusted at the way things had turned out. It was strange, I know. We had had no word from any union officials. Simply wanted to join the union. Why? To help win organization into the great non-union stronghold. That night injunctions were served on most of us. They did not give Jimmy Patrick one and I remarked to him that it was rather strange they had missed him. He answered that he would get his altogether, meaning his eviction notice.

These eighteen were English speaking men who had joined and in a day or two 98% of the whole men were on strike and members of the organization. Saturday May 6th, Temporary Superintendent Longridge came to my house and said he wished to see me at the office. I went to the office. He asked me into a room so he

could talk to me privately. He asked me my reason for not working, I told him when the rest of the men returned with a contract I would. He told me if I would swear a affidavit that I did not belong to the union I would be allowed to remain in the house, otherwise he was afraid he would have to serve an eviction notice on me. I told him I would not do such a thing. Him and I had always been friends untill he became acting Superintendent. He said he was sorry but he was afraid he would have to put me out. I told him he did not need to be sorry for me as I was not the first one he put out, reminding him of the other strikers' families he had evicted. I left the office and that afternoon we had a meeting. The miners of a small mine between Gray and Bell operated by the Forge Coal Mining Company came on strike that afternoon. Superintendent Longridge and John Keener a assistant boss now a Deputy Sheriff employed by the Consolidation were seen in the woods across from the meeting place with field Glasses looking to see who was at the meeting. We knew, as the Company had started to evict people it would be kept up. We called a meeting, and we all collected in the woods a distance from Gray which was the only place we could have a meeting. (I may state here, that the Company had persuaded the farmers around Gray not to allow the miners to hold any meeting on their land to post it with trespass notices. This ground where the meeting was being held, fortunately belonged to a striking miner.) I had worked pretty hard since coming on strike and I thought that when the officers were elected I would be able to take it easy. We talked amongst ourselves for about half an hour. I said to a few men sitting near; why don't the meeting start. A member said, Armstrong I guess it is up to you to start the meeting. I did not feel like having too much to say in these men's affairs and stated so. However I was again requested and I opened the meeting. The temporary elected officers had requested that new men

be elected as they stated they were not qualified to hold the position, although they had done good work and had already sent for the charter. I told them so but they insisted that a change be made. The officers were elected by the men in the correct manner and I was elected President. James Patrick being elected Recording Sec. I was glad Jimmy was elected to office with me because he was a hard worker and a good friend.

The electing of a strike committee was next and six members were elected to take care of the needy Families. It was arranged that those in need would apply for help and the strike committee would see that they were given food enough to maintain them. Another duty of the committee was to look after the people who would be evicted from there homes. A Collection was taken and eighteen dollars and thirteen cents was raised. The beginning of a strike fund for those in need. I had been through strikes in England. In a strike there is always some people who need help almost right away and as work had been very slack the proceeding year I realized that we would soon have people to feed. The men's spirits were high. The pass word of *No work tomorrow* was made. This was Monday May 8th. That Evening Longridge came to the house and talked to me. He said he believed he was forced to give me a eviction notice as General Manager Kramer had been down and gave him the dickens about me. He said I had two chances. One to return to work, the other to be evicted. I told him I guessed I would wait untill the sheriff came and put me out. After he left me Jimmy Patrick and I went to Boswell to see the organizer and arrange for tents for the evicted families.

The next day I got my eviction notice. That evening Jimmy Patrick was telling me not to get down hearted and I again remarked that it was strange he had not even got an injunction yet and he remarked that, he expected to get all his soon, meaning eviction, injunction and

orders to leave town, but he said I will at least have a day longer than you. Just as he said that the Company coal and iron policeman appeared pulling some papers out of his pocket, and he handed Jimmy injunction, eviction notice and another notice to collect his belonging and leave town immediately. So he had to leave town the same date as me.

He asked the policeman if he was to go home and collect his wife, four children and his household goods and leave right away. However he waited the time stated on the eviction notice before he left. Another two got the same notices that evening. We found places to go, and had a bunch of strikers to help move us. Eviction notices were being served pretty freely about this time.

Everyone moved without a murmur of complaint. The women were great. They encouraged their husbands in every way. Some moved into tents, others to stables, shacks, chicken coops and almost any place where shelter could be had. Of course in town there was only Company owned houses. A couple of days after 98% of the men at Gray came on strike we met a man from Bell, a mining operation of the same company. He told me that the men at Bell mines were out about 95%. He said it was arranged that the men who were going to strike there were to quit work at 12 noon which they did. All walked out of the mines, sent for the organizers, and was made union men. The organizers had arranged to hold a meeting at Bell the following week. I had not attended a meeting yet so I went to this one. It was raining when we arrived at the meeting place, and it was decided to hold it in a nearby barn which was owned by a striking miner. Going to the barn we had to pass Company ground and behind trees were three Company officials who took the names of the men as they passed to go to the meeting. These officials were the General manager, the assistant Manager of the Company and the Super of Bell mine. When inside of the barn and an organizer was

about to make a speech, someone told him that there was a mine foreman and two assistant mine foreman outside. He said tell them to come inside to the meeting, we having nothing but the truth to tell and they might hear something that will do them good. The invitation was not accepted by the mine officials. This meeting was pretty well attended and the men very determined to win what they had came on strike for. Twelve men were taken into the union at this meeting. Organizer McLoskey made a speech and told how conditions were in union mines. He compared these conditions with conditions in Non-union mines and the men readily seen where it was going to benefit them to belong to an organization such as U.M.W. of A. He told a story of two rats. Two rats were in a farmer's cellar, in which was a large basin of milk. One was a union rat the other non-union. The rats in the act of partaken of this milk fell in, they swam around for quite awhile, and the non-union rat said to the union rat, what is the use of trying to get out. I am going to give up which it did and sank to the bottom and was drowned. The union rat said, That is not the way I was organized and said he was not going to give up yet so he kept on swimming, and swimming until a small piece of butter appeared. He kept up swimming, the butter got bigger and finally it got large enough for the rat to jump on and then he got out of the basin of milk. The meeting closed, the men going home in good spirits and determined to win. The next meeting I attended was again at Bell, the following Sunday. I was told that a speaker named Powers Hapgood was going to speak at this meeting and he did. I had the pleasure of meeting him before the meeting and he was very sincere and his whole heart with the miners in their fight for organization. He commanded confidence and he did have the confidence of the striking miners. He was a young man, and a good speaker. He had

worked in both union and non-union mines therefore was well acquainted with conditions in both classes of mines. The Coal Operators said there was no strike in Somerset County. A Mass meeting was held at Jenners in June at which between six and seven thousand men and women were present. An incident that happened that kept a large number of men from this meeting was that the strikers from Jerome a town six miles from Jenners which was owned by the Hillman Coal & Coke Company were marching to the meeting when the State Police stopped them and made them return to their homes stating that marching by a number of men was not allowed. These men anxious to keep within the law quietly dispersed and returned home. This of course was just another card of the operators to try to discourage the men.

The Company tried in every way to break the morale of the men. An English miner told me he was offered \$100 if he would tell the names of the leaders of the, what they termed, trouble. They tried in every way to induce the men to return to work, coming to them and telling them, when they were about to move that if they would return to work they would not be required to leave town, but it was all to no avail. I have not known a man, return to work because of the fact that he had to move.

Now 98% of the miners of Gray were members of the union and on strike. However strike breakers were shipped in.

Any person evicted was not allowed to go through the streets of the town. The post office being in the Company store the evicted people had to go for their mail but the guards saw that they went the public road in and out, and they also watched them while inside the post office, and also saw they left town by the specified road. We learned men were shipped into Gray under the understanding that there was no strike. When some of these men learned of the state of affairs they quickly left.

Others worked long enough to get enough money to leave having no money when they arrived. The Company gave every inducement to these men to get them to stay, Free board, Free tools to work with, and extra time. However the strike went right along. The morale of the strikers was not broken despite all these trying times.

The miners wives co-operated with their husbands, cut down living expenses to make both ends meet. However as time went on we had more on the needy list. Our strike fund became depleted but the district organization sent in small sums to buy the bare needs of life. No word of complaint reached me regarding this. The men and women saying they were not expecting everything they could use and eat.

Gunmen were still kept employed but one noticed that the Company had come to believe that the men were really striking and they did not know who really was to blame. However families were still being evicted. Miners arrested and put to jail on paltry charges and everything was brought to bear in an effort to break the strike.

A miner named George Rafferty who had been on strike for three months and who had been allowed to live in the Company house, his wife being about to become a mother, nevertheless the company gave him an eviction notice. He asked the manager of the Company to allow him to stay in the house until his wife was over her trouble. The answer was he would have to go out if it took the army to put him out. Out with his wife and six children he went to live in an Old Garage and tent. Mrs. Rafferty was in bed sick a month before her baby was born. She never gave a word of complaint, saying she would sooner be out of the town amongst union than living amongst Strike breakers and Scabs.

We had learned that approximately 15,000 former non-union men were on strike. A few men from one local would visit and attend a meeting of another local. This was done to tell the men in the surrounding mining towns

the true situation. One day about 12 Men went from Gray to Acosta a place about 3 Miles distance. When we went to go to the hall two Gunmen and an Ex Squire stopped us. No one allowed along that road except people who lived in the town. But surely this is a right-a-way, we asked. We were told that it had been at one time, but the company had bought it over.

There must be a road to those private houses we asked, No this is Company property and being as the people have build there the Company let them use the road, we were answered. We did not know what to do. Anxious to keep within law we thought it best to keep off. However the Acosta strikers seen us trying to get to the meeting and they came to see what the trouble was. One polish miner was telling the Gunmen that they could not stop us as it was a public road and we would get in, one of the Gunmen hit him on the head with a club and cut his head. Excitement ran high for awhile. However, we were told that we would be allowed if we would give our names.

What do you want our names for we asked. We were told that we would be arrested for tresspassing. In the meantime the President of Acosta local had phoned to Somerset for the sheriff. After waiting for an hour we returned home as the sheriff did not come up till then. We later learned that the Sheriff did arrive and opened the road as it was a public road. . .

(After 6 months) no one has returned to work. . . The determination to have union was something to admire. It was a pleasure to see the good fellowship since the men had become organized.

2. HARMONY AND SATISFACTION IN SOMERSET

Excerpts ¹ from the testimony of F. R. Lyon, vice-president of Consolidation Coal Co., in injunction proceedings before Judge Berkey, April 27, 1922.

¹ From No. 3 Equity Docket, 1922,—Consolidation Coal Co. vs. John Brophy, et al.

Witness's direct testimony: "The relations (between the company and the men) were the most pleasant and the most satisfactory. The mines have been working very regularly. There has never been any trouble of any kind and never has been a suspension of work in the Jenner field which was opened in 1904 up to the present."

Witness testified that \$181,000 had been spent in Somerset in 1921 for recreation and amusement; \$35,000 for civic improvement, "—installing water, fences, sidewalks, soda parlors, movies; we have little—, we call them hospitals,—a room for doctor;" \$4,500,000 so far had been expended for developing coal. At their 14 towns the houses which had water installed were a fifth, or a third, a half, several, "very few"; in one, all had water. Practically all cinder sidewalks; "there is some fences four boards high."

Witness testified the strike was a conspiracy; he had been at the meetings: the employees were intimidated.

Q. By intimidation, what do you mean?

A. I mean being told before not to work.

On cross-examination by attorney Ross R. Scott, Mr. Lyon admitted they had had labor troubles, had cut wages several times; he was a very reluctant witness.

Q. Between January 1, 1921 and say January 1, 1922, you shut the Bell mine down, did you not?

A. Yes, sir.

Q. And reduced the working time at Biesecker at least one-half to two-thirds?

A. The time was reduced, I don't know how much.

Q. Wasn't practically the whole of the Jenner field during greater part of 1921 up to a short time before the first day of April, 1922, working not over half of the time?

A. No, we were working an average of better than half time.

* * *

Q. Have you had any strikes during nineteen years at any of the mines?

A. We may have had a little suspension at one or two.

Q. Did you have any trouble at Althouse at any time?

A. Yes, sir, one of the men at Garrett (a union town in Somerset) got up there about the men.

Q. And didn't you replace those with colored men from the south?

A. I don't know; I wouldn't be surprised.

* * *

Q. Didn't you, within the last ten days, at the Bell mine and Biesecker mine, have labor grievances?

A. No, sir, not to my knowledge.

Q. Don't you know the men at those mines have been complaining on account of the dead work they had to do and in the last ten days you raised the wages about fifty cents a yard?

A. We changed the system of mining out there.

Q. No—after you changed the system?

A. I had demands made on us for yardage.

* * *

Q. Do you know of any men having been discharged for no other reason than for attending some of the meetings?

A. I know of them attending the meetings and joining the organization and refusing to work.

Q. Did they refuse to work or did you fire them because they joined the organization?

A. We knew when they joined the organization they have to cease work, can't work.

Q. Had they ceased work when you discharged them?

A. Perhaps not all of them.

* * *

Q. Haven't you issued instructions to your employees to take the names of the individuals who were going to the union meetings and as soon as the men returned and before you knew whether they had joined or not, they were served with a discharge notice?

A. No, sir.

Q. Have you issued orders of that kind?

A. I have issued orders to discharge every man that is trying to stir up some trouble.

Q. At whose orders were the names taken, do you know that?

A. No, sir.

Q. Do you know of them having been taken?

A. I wouldn't be a bit surprised.

* * *

Q. Have you maintained armed guards at Biesecker prohibiting and preventing the general public from going in there?

A. Well I don't know.

Q. Do you know of Mr. Mullin, one of the superintendents, shooting through the car of a man who went in there about two weeks ago?

A. No, I don't know of it.

Q. Did you have such a man in your employ?

A. We had a man by the name of Mullin.

Q. And you heard nothing about this?

A. Yes, sir, I heard about this.

Q. Where is he now, do you know?

A. I don't know.

Q. Is he still in your employ?

A. No, sir, he was discharged.

* * *

Q. If a man wants to go to the public post office can he go in without the consent of the officers and guards?

A. Yes, sir.

Q. Isn't he stopped and asked to give an explanation of what he wants in there?

A. He is asked his business, if he is not known.

Q. If he is not known, he doesn't get in?

A. If he is not known, he doesn't get in.

* * *

Q. How many deputy sheriffs, coal and iron police and officers are in your employ and under your control in the various mining towns and at the plants in this county?

A. I can't answer that.

Q. Mr. Lyon, if such peace and harmony prevails between your company and its employees, why do you have those officers there?

A. To keep these people from other counties from getting in and disturbing these people.

Q. Did all your people go out?

A. Yes, sir.

3. WHY ARE THE WINDBER MINERS OUT?¹

From Personal observation I have grew into man hood and watch the Struggle of the miners of Windber along with myself.

At the age of 11 years I began to work in the Berwinds and White coal mining company's mine which is known as Eureka No. 32 at Windber, Pa. about 26 years ago with my father as a helper to him. In a period of 4 years to-gether with my other duties as a coal miner, I was checking up the weights put on the tonnage sheets produced by father and I each working day. During this period I have discovered that when the union miners got a raise in tonnage rate the same proportion was raised also in the Berwinds mines but the weight on each car of

¹ By Joseph Foster, district organizer of the United Mine Workers of America.

coal produced was decreasing. This did not increase our weekly earnings as was enjoyed by the union miners. This became disgusting to me as well as a number of my fellow miners. I tried to be patient and endure the humiliating thought that I was daily being cheated of a portion of my labor until one day we lost a car of coal. The foreman told me to wait a day; it may have been possible that the motorman did not pull out that day; so I have waited for days patiently for my lost car which would have weighed 1 ton according to their weights. I again made inquiries to the weight master and his answer was in profane language; "get out of here, I have no car for you; you have not lost no car or coal." Then when I told father that the weightboss did not fix the car he gave me hell. Then I reached the limit of my endurance, enraged over the treatment given to me by the weigh master and the thought always present that daily being cheated and also losing the car after I done all that could be done, I flung my shovel up against the side of the working place and said, "I am finished loading in these mines for ever."

I went to Eureka No. 34 as a Spragger. I spragged there for two years then I got on a job as night motorman. Then it was when my troubles began with the mine foreman. He gave me a partner who did not understand American. That made it miserable for me. With this man I had to work from 10 to 12 hours a night and only received 10 hours pay. Then I saw that all I had left was to quit my job if I didnt wish to work 10-11 or 12 hours a shift for 10 hours pay so I quit for I thought that again I was robbed.

I left Windber and enlisted in the army for three years. When I reached home I found that my father had not been working for two years on account of being hurt at mine, Eureka No. 34, by a fall of rock and this accident happening to my father made him look ten or fifteen years older, therefore the Berwind and White coal mining company would not hire him on account of his old age. At

that time they had plenty of men for work was kind of slack and they would not hire old men. Therefore there was nothing else left for me to do but stay home and work for this company so that I might support my father and mother and little brother.

I succeeded in getting a job running a motor at mine Eureka No. 31. I ran there for a while until one day my motor broke. Its shoes were worn down to a dangerous condition. I asked the repair men foreman to repair my motor but he said, "run it as long as you can for we have no extra motor in the barn." So on the following day at dinner time as I came out with a trip of cars, my brake give away and the motor run over the scales. I jumped off and ran over to the weigh master and I asked him "how much did that weigh?" He not knowing what went over the scales he said "One ton five." I told him he was lying that the motor was supposed to weight thirteen ton.

I was discharged immediately and the following day I was hired out at Eureka No. 34 as an extra motor man and spragger. I worked there for a few days when they found out in the general office that I was working at thirty-four mine. They sent word to the mine foreman to release me and to tell me to go back to thirty-one as this company is in the habit of not hiring any one that was working in any other mine that belongs to this company unless he is not known or he changes his name. Therefore if I wanted to remain at my home in Windber all that was left for me is to go back to Eureka No. 31.

When I did go back the boss give me a job as track layer and he told me to work on the track until he could give me my motor back for he had a motor man on my motor. So I worked one day on the track, one day braking, one day as motor man, and as a wire man and a pipe fitter, one day as motor boss and one day as a repair man, and so on, but when I received my first pay I received track layers wages which was the smallest paying job

amongst all other work I had been doing. As I only worked one day on this job as track layer I know I was entitled to more. I went to the mine foreman and asked him how was it that I was receiving only track layers wages as I only worked one day on the track. His reply was "I hired you as a track man and I can only pay you track mans wages." Then thats where I quit again.

I laid around for a few weeks then I went up to No. 35. The motor boss saw me walking around and came up to me and asked if I was looking for a job. I said "fine" if he needed a man. So he said "sure I need a man like you on the night shift motor." He took me up to the mine foreman and they fixed it up between themselves so the mine foreman did not have to give me a slip to take to the general office to get the general superintendent signature for fear that he would not let me go work there.

During my work on night shift some of the loaders at that mine came to me on the tippie and asked me about how much these coal cars would weigh and I told them to come on with me that I would show them and I weighed about 3 or 4 cars and they weighed from 19 to 21 hundred. One of these men told me he only got from twelve to fourteen hundred during the day so the same man and his buddy went home and got there mining lamps and went in the mine and took their tools out and I have'nt seen these 2 men up to this day.

Once as I got out on the tippie one of the company officials came up to me and said "how do Joe, how are you voting?" and as I told him how I was going to vote he left me with out saying a word as this was contrary to the company wishes as it was customary for the company to know how any man voted that was under their employ every time election came around. So it was not long after the election I was discharged for the Judge I was voting for won out. Therefore I took it as granted that I was discharged on account of the election.

I went away from home for about one year and a half then I succeeded in getting a job in Eureka No. 35 repairing machines. I was then in charge of eighty-six machines—pumps, hoist, electric drills, punchers, sprinkling machines and seven telephones which I had to keep in motion. Until the third year on this job the mines began to work slack, then the mine foreman took my helper away and left me alone on the job. It was enough work for 3 men for these days I had so much work that I worked from 10 to 13 hours and only received ten hours pay and the foreman made it so hot for me that I was compelled to quit again.

I got married a few months before knowing that. I had to make a home of my own. My little brother Steve had grown up to be sixteen years of age. Therefore knowing that there was some one to support father and mother I told the foreman that I was through with the Berwind and White coal mining company "until they get union in this town."

I moved in to the union field of District No. 2 U.M.W. of A. at Emeigh, Pa., from there to Nant-y-Glo, Pa. I lived happy with my family not knowing much about trouble until one day on April the 6th in the evening about 10 o'clock when I was having a social game of cards in the hotel lobby at Nant-y-Glo. There was a committee of 3 men came to me and tapped me on the shoulder. One of them was my brother Steve and he said, "Hallo Joe, come out side I want to tell you something." He explained to me that they came out on strike and they needed help to join the union. As I had no power I took them up to William Welsh, our Board Member. Sunday a few of us organizers went up to their meeting and we met about 4 thousand men in a farmers field and the men asked me to stay and help them on with the organization. Mr. Brophy sent me back on Monday the 10th of April when I held the first meeting at 4th St. in Windber and I obligated

somewhere around about 3,500 men. Gee, but these men were glad to see me and to know that they were all union men now.

At the men's meetings they yelled out loud, "we are no longer slaves and we are done loading three ton for two. We will never return under a scab system. We want union to protect our rights."

This is my first experience at this work. I must say that writing a story is a harder job than a day's work.

B.—CHANGES IN EMPLOYMENT BY NATIONALITIES; A SAMPLE

Volume of employment in "mines" of Berwind-White Co., for January 1, 1922 and one year later, from Pennsylvania State Mine Inspectors' reports.

TABLE D.

	Jan. 1, 1922	Jan. 1, 1923	Principal Losses & Gains
American	411	507	+23%
Slavish	753	275	—63%
Polish	495	264	—47%
Hungarian	545	358	—34%
Italian	415	179	—56%
German	37	40	
Scotch	25	17	
Austrian	35	13	
Welsh	6	7	
French	3	1	
English	23	20	
Irish	4	9	
Rumanian	47	24	
Scandinavian	6	3	
Spanish	23	90	+290%
Belgian	1	2	
Serb	0	3	
Croat	15	7	
Lithuanian	40	20	—50%
Greek	2	17	
Mexican	6	15	+150%
Porto Rican	0	1	
Macedonian	1	2	
Turk	0	1	
Bulgarian	1	1	
Canadian	0	1	
Totals (26)	2894	1877	—35%

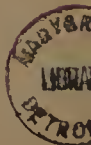
"Americans," in 1922, were 14 per cent of the total. The proportions of "Americans" and "foreigners" in Pennsylvania mines are generally 40 per cent and 60 per cent. (The Pennsylvania Department of Labor report for 1921 gives: total bituminous production;—mining companies 1236; employees 174,489, divided into "Americans," 72,285; "foreigners," 102,204.)

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